COMMONWEALTH of VIRGINIA

DEPARTMENT OF ENVIRONMENTAL QUALITY

Permit No.: VA0089303
Effective Date: September 30, 2008
Expiration Date: September 29, 2013

AUTHORIZATION TO DISCHARGE UNDER THE
VIRGINIA POLLUTANT DISCHARGE ELIMINATION SYSTEM
AND
THE VIRGINIA STATE WATER CONTROL LAW

In compliance with the provisions of the Clean Water Act as amended and pursuant to the State Water Control Law and regulations adopted pursuant thereto, the following owner is authorized to discharge in accordance with the information submitted with the permit application, and with this permit cover page, Part I - Effluent Limitations and Monitoring Requirements, and Part II - Conditions Applicable To All VPDES Permits, as set forth herein.

.

Owner:	Chesapeake Bay Fishing Co., LLC d/b/a Ampro Shipyard and Diesel
Facility Name:	Ampro Shipyard
County:	Lancaster
Facility Location:	Highway 632, 25 Shipyard Lane, Weems, Va. 22576

The owner is authorized to discharge to the following receiving stream:

Stream:	Carter's Creek
River Basin:	Rappahannock River
River Subbasin:	N/A
Section:	1
Class:	II
Special Standards:	a

Water Permit Manager, Piedmont Regional Office

9/30/08
Date

A. LIMITATIONS AND MONITORING REQUIREMENTS

1. During the period beginning with the permit's effective date and lasting until the permit's expiration date, the permittee is authorized to discharge from outfall serial number: 001 (Crandall Railway – process wastewater).

a. Such discharges shall be limited and monitored at Outfall 001 by the permittee as specified below:

EFFLUENT CHARACTERISTICS	DISCHARGE LIMITATIONS			MONITORING REQUIREMENTS		
	Monthly Average	Weekly Average	Minimum	Maximum	Frequency	Sample Type
Flow (MGD)	NA	NA	NA	NL	1/6 Months	Estimate
pH (S.U.)	NA	NA	6.0	9.0	1/6 Months	Grab
Total Suspended Solids (mg/l)[1]	NA	NA	NA	NL	1/6 Months	Grab
Total Petroleum Hydrocarbons (mg/l)[1]	NA	NA	NA	NL	1/6 Months	Grab
Chemical Oxygen Demand (mg/l) [1]	NA	NA	NA	NL	1/6 Months	Grab
Total Recoverable Copper (ug/l)[1,2]	4.7	NA	NA	4.7	1/6 Months	Grab
Total Recoverable Zinc (ug/l)[1,2]	45	NA	NA	45	1/6 Months	Grab
Dissolved Lead (ug/l) [1]	NL	NA	NA	NL	1/6 Months	Grab
Dissolved Arsenic (ug/l) [1]	NL	NA	NA	NL	1/6 Months	Grab
Ammonia-N (mg/l)[1,2]	0.86	NA	NA	0.86	1/6 Months	Grab
Dissolved Sulfide (ug/l)[1]	NL	NA	NA	NL	1/6 Months	Grab
Total Cyanide (ug/l)[1]	NL	NA	NA	NL	1/6 Months	Grab
Dissolved Oxygen[1,2]	5.0 mg/l (minimum)	NA	4.3 mg/l	NA	1/6 Months	Grab

NA = Not Applicable
NL = No limit, however, reporting is required
1/6 Months = Between April 1 and June 30; and July 1 through September 30, with reporting by the 10th of the month following the sampling.

[1] See Part I.C.5. for quantification levels and reporting requirements.
[2] Effluent monitoring and reporting required upon effective date of permit. See Part I.B. for Schedule of Compliance.

b. There shall be no discharge of floating solids or visible foam in other than trace amounts.
c. Sampling over the life of the permit shall be representative of all the different activities which occur at the permitted outfall, especially including hull process waters, as defined below. The activity from which the process water originated must be specified within the comments section of each submitted discharge monitoring report for the outfall. Process wastewater related to hull work shall be any water used on a vessel's hull for any purpose, including, but not limited to the activities of removing marine salts, marine growth, sediments and paint or other hull cleaning activities using water such as preparing hull areas for inspection or work (e.g., cutting, welding, grinding).
d. See Part I.C.4. for sampling methodology

A. LIMITATIONS AND MONITORING REQUIREMENTS

2. During the period beginning with the permit's effective date and lasting until the permit's expiration date, the permittee is authorized to discharge from outfall serial number: 901 (Crandall Railway – stormwater runoff).

a. Such discharges shall be limited and monitored at Outfall 901 by the permittee as specified below:

EFFLUENT CHARACTERISTICS	DISCHARGE LIMITATIONS			MONITORING REQUIREMENTS		
	Monthly Average	Weekly Average	Minimum	Maximum	Frequency	Sample Type
Flow (MG)	NA	NA	NA	NL	1/Quarter	Estimate [1]
pH (S.U.)	NA	NA	6.0	9.0	1/6 month	Grab
Total Suspended Solids (mg/l)[2]	NA	NA	NA	NL	1/6 month	Grab
Total Petroleum Hydrocarbons (mg/l) [2]	NA	NA	NA	NL	1/6 month	Grab
Chemical Oxygen Demand (mg/l)	NA	NA	NA	NL	1/6 month	Grab
Dissolved Copper (ug/l) [2]	NA	NA	NA	NL	1/Quarter	Grab
Dissolved Zinc (ug/l) [2]	NA	NA	NA	NL	1/Quarter	Grab
Dissolved Lead (ug/l) [2]	NA	NA	NA	NL	1/6 month	Grab

NA = Not Applicable
NL = No limit, however, reporting is required
1/6 Months = Between April 1 and June 30; and July 1 through September 30; with reporting by the 10th of the month following the sampling.
1/Quarter = Between January 1 and March 31; and April 1 and June 30; and July 1 and September 30; and October 1 and December 31, with reporting by the 10th of the month following the sampling.
[1] Estimate of the total volume of the discharge during the storm event.
[2] See Part I.C.5. for quantification levels and reporting requirements.

b. See Part I.E.1.&2. for sampling methodology.
c. All grab samples shall be taken within the first thirty minutes of the discharge. If this is not practicable, they shall be taken within the first hour of the discharge provided that the permittee explains why a grab sample during the first 30 minutes was impracticable. This information must be submitted on or with the Discharge Monitoring Report (DMR).
d. All samples shall be collected from the discharge resulting from a storm event that is greater than 0.1 inch in magnitude and that occurs at least 72 hours from the previously measurable (greater than 0.1 inch rainfall) storm event.
e. There shall be no discharge of floating solids or visible foam in other than trace amounts.
f. In addition to the analytical results, the permittee shall provide the date and duration (in hours) of the storm event(s) sampled; rainfall measurements or estimates (in inches) of the storm event that generated the sampled runoff; the duration between the storm event sampled and the end of the previous measurable (greater than 0.1 inch rainfall) storm event; and an estimate of the total volume (in gallons) of the discharge sampled. (See Part I.E.1&2.)

A. LIMITATIONS AND MONITORING REQUIREMENTS

3. During the period beginning with the permit's effective date and lasting until the permit's expiration date, the permittee is authorized to discharge from outfall serial number: 907 (drainage area – storm water runoff). This outfall has been deemed substantially identical to outfalls 908-910.

a. Such discharges shall be limited and monitored at Outfall 907 by the permittee as specified below:

EFFLUENT CHARACTERISTICS	DISCHARGE LIMITATIONS				MONITORING REQUIREMENTS	
	Monthly Average	Weekly Average	Minimum	Maximum	Frequency	Sample Type
Flow (MG)	NA	NA	NA	NL	1/Quarter	Estimate[1]
pH (S.U.)	NA	NA	6.0	9.0	1/6 month	Grab
Total Suspended Solids (mg/l) [2]	NA	NA	NA	NL	1/6 month	Grab
Total Petroleum Hydrocarbons (mg/l) [2]	NA	NA	NA	NL	1/6 month	Grab
Chemical Oxygen Demand (mg/l) [2]	NA	NA	NA	NL	1/6 month	Grab
Dissolved Copper (ug/l) [2]	NA	NA	NA	NL	1/Quarter	Grab
Dissolved Lead (ug/l) [2]	NA	NA	NA	NL	1/6 month	Grab
Dissolved Zinc (ug/l) [2]	NA	NA	NA	NL	1/6 month	Grab
Ammonia –N (mg/l) [2]	NL	NA	NA	NL	1/Quarter	Grab
Total Cyanide (mg/l) [2]	NL	NA	NA	NL	1/Quarter	Grab

NA = Not Applicable NL = No limit, however, reporting is required
1/6 Months = Between April 1 and June 30; and July 1 through September 30, with reporting by the 10th of the month following the sampling.
1/Quarter = Between January 1 and March 31; and April 1 and June 30; and July 1 and September 30; and October 1 and December 31, with reporting by the 10th of the month following the sampling.
[1] Estimate of the total volume of the discharge during the storm event.
[2] See Part I.C.5. for quantification levels and reporting requirements

b. See Part I.E.1.&2. for sampling methodology
c. All grab samples shall be taken within the first thirty minutes of the discharge. If this is not practicable, they shall be taken within the first hour of the discharge provided that the permittee explains why a grab sample during the first 30 minutes was impracticable. This information must be submitted on or with the Discharge Monitoring Report (DMR).
d. All samples shall be collected from the discharge resulting from a storm event that is greater than 0.1 inch in magnitude and that occurs at least 72 hours from the previously measurable (greater than 0.1 inch rainfall) storm event.
e. There shall be no discharge of floating solids or visible foam in other than trace amounts.
f. In addition to the analytical results, the permittee shall provide the date and duration (in hours) of the storm event(s) sampled; rainfall measurements or estimates (in inches) of the storm event that generated the sampled runoff; the duration between the storm event sampled and the end of the previous measurable (greater than 0.1 inch rainfall) storm event; and an estimate of the total volume (in gallons) of the discharge sampled. (See Part I.E.1.&2.)

A. LIMITATIONS AND MONITORING REQUIREMENTS

4. During the period beginning with the permit's effective date and lasting until the permit's expiration date, the permittee is authorized to discharge from outfalls serial numbers: 902—906.

a. Such discharges shall be limited and monitored by the permittee as specified below:

THESE OUTFALLS SHALL CONTAIN ONLY UNCONTAMINATED STORMWATER RUNOFF. NO PROCESS WATER SHALL BE DISCHARGED FROM THESE OUTFALLS. NO LIMITATIONS ARE ESTABLISHED AND NO ROUTINE EFFLUENT MONITORING IS REQUIRED.

PERMITTEE NAME/ADDRESS(INCLUDE FACILITY NAME/LOCATION IF DIFFERENT)

NAME Ampro Shipyard
ADDRESS PO Box 2056
Kilmarnock VA 22482
FACILITY LOCATION 25 Shipyard Ln

COMMONWEALTH OF VIRGINIA
DEPARTMENT OF ENVIRONMENTAL QUALITY
NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM(NPDES)
DISCHARGE MONITORING REPORT(DMR)

Industrial Minor 09/30/2008

DEPT. OF ENVIRONMENTAL QUALITY
(REGIONAL OFFICE)
Piedmont Regional Office
4949-A Cox Road
Glen Allen VA 23060

NOTE: READ PERMIT AND GENERAL INSTRUCTIONS BEFORE COMPLETING THIS FORM.

VA0089303	001
PERMIT NUMBER	DISCHARGE NUMBER

MONITORING PERIOD

	YEAR	MO	DAY		YEAR	MO	DAY
FROM				TO			

PARAMETER		QUANTITY OR LOADING			QUALITY OR CONCENTRATION				NO. EX.	FREQUENCY OF ANALYSIS	SAMPLE TYPE
		AVERAGE	MAXIMUM	UNITS	MINIMUM	AVERAGE	MAXIMUM	UNITS			
001 FLOW	REPORTD	*********			*********	*********	*********				
	REQRMNT	*********	NL	MGD	*********	*********	*********			1/6M	EST
002 PH	REPORTD	*********	*********			*********					
	REQRMNT	*********	*********		6.0	*********	9.0	SU		1/6M	GRAB
004 TSS	REPORTD	*********	*********		*********	*********					
	REQRMNT	*********	*********		*********	*********	NL	MG/L		1/6M	GRAB
007 DO	REPORTD					*********	*********				
	REQRMNT	********	********		5.0	*********	*********	MG/L		1/6M	GRAB
007 DO	REPORTD	*********	*********			*********	*********				
	REQRMNT	*********	*********		4.3	*********	*********	MG/L		1/6M	GRAB
008 COD	REPORTD	*********	*********		*********	*********					
	REQRMNT	*********	*********		*********	*********	NL	MG/L		1/6M	GRAB
018 CYANIDE, TOTAL (AS CN)	REPORTD	*********	*********		*********						
	REQRMNT	*********	*********		*********	NL	NL	UG/L		1/6M	GRAB
039 AMMONIA, AS N	REPORTD	*********	*********		*********						
	REQRMNT	*********	*********		*********	NL	NL	MG/L		1/6M	GRAB

ADDITIONAL PERMIT REQUIREMENTS OR COMMENTS
The 5.0 mg/l D.O. limit is an average minimum. The 4.3 mg/l D.O. limit is a minimum.

BYPASSES AND OVERFLOWS	TOTAL OCCURRENCES	TOTAL FLOW(M.G.)	TOTAL BOD5(K.G.)

I CERTIFY UNDER PENALTY OF LAW THAT THIS DOCUMENT AND ALL ATTACHMENTS WERE PREPARED UNDER MY DIRECTION OR SUPERVISION IN ACCORDANCE WITH A SYSTEM DESIGNED TO ASSURE THAT QUALIFIED PERSONNEL PROPERLY GATHER AND EVALUATE THE INFORMATION SUBMITTED. BASED ON MY INQUIRY OF THE PERSON OR PERSONS WHO MANAGE THE SYSTEM OR THOSE PERSONS DIRECTLY RESPONSIBLE FOR GATHERING THE INFORMATION, THE INFORMATION SUBMITTED IS TO THE BEST OF MY KNOWLEDGE AND BELIEF TRUE, ACCURATE AND COMPLETE. I AM AWARE THAT THERE ARE SIGNIFICANT PENALTIES FOR SUBMITTING FALSE INFORMATION, INCLUDING THE POSSIBILITY OF FINE AND IMPRISONMENT FOR KNOWING VIOLATIONS. SEE 18 U.S.C. & 1001 AND 33 U.S.C. & 1319. (Penalties under these statutes may include fines up to $10,000 and/or maximum imprisonment of between 6 months and 5 years.)

OPERATOR IN RESPONSIBLE CHARGE			DATE		
TYPED OR PRINTED NAME	SIGNATURE	CERTIFICATE NO.	YEAR	MO.	DAY
PRINCIPAL EXECUTIVE OFFICER OR AUTHORIZED AGENT		TELEPHONE			
TYPED OR PRINTED NAME	SIGNATURE		YEAR	MO.	DAY

PERMITTEE NAME/ADDRESS(INCLUDE FACILITY NAME/LOCATION IF DIFFERENT)

NAME Ampro Shipyard
ADDRESS PO Box 2056
Kilmarnock VA 22482
FACILITY LOCATION 25 Shipyard Ln

COMMONWEALTH OF VIRGINIA
DEPARTMENT OF ENVIRONMENTAL QUALITY
NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM(NPDES)
DISCHARGE MONITORING REPORT(DMR)

Industrial Minor 09/30/2008

DEPT. OF ENVIRONMENTAL QUALITY (REGIONAL OFFICE)
Piedmont Regional Office
4949-A Cox Road
Glen Allen VA 23060

NOTE: READ PERMIT AND GENERAL INSTRUCTIONS BEFORE COMPLETING THIS FORM.

PERMIT NUMBER	DISCHARGE NUMBER
VA0089303	001

MONITORING PERIOD

	YEAR	MO	DAY		YEAR	MO	DAY
FROM				TO			

PARAMETER		QUANTITY OR LOADING			QUALITY OR CONCENTRATION				NO. EX.	FREQUENCY OF ANALYSIS	SAMPLE TYPE
		AVERAGE	MAXIMUM	UNITS	MINIMUM	AVERAGE	MAXIMUM	UNITS			
196 ZINC, TOTAL RECOVERABLE	REPORTD	*********	*********		*********						
	REQRMNT	*********	*********		*********	NL	NL	UG/L		1/6M	GRAB
203 COPPER, TOTAL RECOVERABLE	REPORTD	*********	*********		*********						
	REQRMNT	*********	*********		*********	NL	NL	UG/L		1/6M	GRAB
257 PETROLEUM HYDROCARBONS, TOTAL RECOVE	REPORTD	*********	*********		*********	*********					
	REQRMNT	*********	*********		*********	*********	NL	MG/L		1/6M	GRAB
405 LEAD, DISSOLVED	REPORTD	*********	*********		*********						
	REQRMNT	*********	*********		*********	NL	NL	UG/L		1/6M	GRAB
438 ARSENIC, DISSOLVED (UG/L AS AS)	REPORTD	*********	*********		*********						
	REQRMNT	*********	*********		*********	NL	NL	UG/L		1/6M	GRAB
872 SULFIDE, DISSOLVED (AS S)	REPORTD	*********	*********		*********						
	REQRMNT	*********	*********		*********	NL	NL	UG/L		1/6M	GRAB
	REPORTD										
	REQRMNT									*******	
	REPORTD										
	REQRMNT									*******	

ADDITIONAL PERMIT REQUIREMENTS OR COMMENTS
The 5.0 mg/l D.O. limit is an average minimum. The 4.3 mg/l D.O. limit is a minimum.

BYPASSES AND OVERFLOWS	TOTAL OCCURRENCES	TOTAL FLOW(M.G.)	TOTAL BOD5(K.G.)

I CERTIFY UNDER PENALTY OF LAW THAT THIS DOCUMENT AND ALL ATTACHMENTS WERE PREPARED UNDER MY DIRECTION OR SUPERVISION IN ACCORDANCE WITH A SYSTEM DESIGNED TO ASSURE THAT QUALIFIED PERSONNEL PROPERLY GATHER AND EVALUATE THE INFORMATION SUBMITTED. BASED ON MY INQUIRY OF THE PERSON OR PERSONS WHO MANAGE THE SYSTEM OR THOSE PERSONS DIRECTLY RESPONSIBLE FOR GATHERING THE INFORMATION, THE INFORMATION SUBMITTED IS TO THE BEST OF MY KNOWLEDGE AND BELIEF TRUE, ACCURATE AND COMPLETE. I AM AWARE THAT THERE ARE SIGNIFICANT PENALTIES FOR SUBMITTING FALSE INFORMATION, INCLUDING THE POSSIBILITY OF FINE AND IMPRISONMENT FOR KNOWING VIOLATIONS. SEE 18 U.S.C. & 1001 AND 33 U.S.C. & 1319. (Penalties under these statutes may include fines up to $10,000 and/or maximum imprisonment of between 6 months and 5 years.)

OPERATOR IN RESPONSIBLE CHARGE			DATE		
TYPED OR PRINTED NAME	SIGNATURE	CERTIFICATE NO.	YEAR	MO.	DAY
PRINCIPAL EXECUTIVE OFFICER OR AUTHORIZED AGENT		TELEPHONE			
TYPED OR PRINTED NAME	SIGNATURE		YEAR	MO.	DAY

PERMITTEE NAME/ADDRESS(INCLUDE FACILITY NAME/LOCATION IF DIFFERENT)

NAME Ampro Shipyard
ADDRESS PO Box 2056
Kilmarnock VA 22482
FACILITY LOCATION 25 Shipyard Ln

COMMONWEALTH OF VIRGINIA
DEPARTMENT OF ENVIRONMENTAL QUALITY
NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM(NPDES)
DISCHARGE MONITORING REPORT(DMR)

VA0089303	901
PERMIT NUMBER	DISCHARGE NUMBER

MONITORING PERIOD

	YEAR	MO	DAY		YEAR	MO	DAY
FROM				TO			

Industrial Minor 09/30/2008

DEPT. OF ENVIRONMENTAL QUALITY
(REGIONAL OFFICE)
Piedmont Regional Office
4949-A Cox Road
Glen Allen VA 23060

NOTE: READ PERMIT AND GENERAL INSTRUCTIONS BEFORE COMPLETING THIS FORM.

PARAMETER		QUANTITY OR LOADING			QUALITY OR CONCENTRATION				NO. EX.	FREQUENCY OF ANALYSIS	SAMPLE TYPE
		AVERAGE	MAXIMUM	UNITS	MINIMUM	AVERAGE	MAXIMUM	UNITS			
001 FLOW	REPORTD	*********			*********	*********	*********				
	REQRMNT	*********	NL	MG	*********	*********	*********			1/3M	EST
002 PH	REPORTD	*********	*********			*********					
	REQRMNT	*********	*********		6.0	*********	9.0	SU		1/6M	GRAB
004 TSS	REPORTD	*********	*********		*********	*********					
	REQRMNT	*********	*********		*********	*********	NL	MG/L		1/6M	GRAB
008 COD	REPORTD	*********	*********		*********	*********					
	REQRMNT	*********	*********		*********	*********	NL	MG/L		1/6M	GRAB
257 PETROLEUM HYDROCARBONS, TOTAL RECOVE	REPORTD	*********	*********		*********	*********					
	REQRMNT	*********	*********		*********	*********	NL	MG/L		1/6M	GRAB
405 LEAD, DISSOLVED	REPORTD	*********	*********		*********	*********					
	REQRMNT	*********	*********		*********	*********	NL	UG/L		1/6M	GRAB
442 COPPER, DISSOLVED (UG/L AS CU)	REPORTD	*********	*********		*********	*********					
	REQRMNT	*********	*********		*********	*********	NL	UG/L		1/3M	GRAB
448 ZINC, DISSOLVED (AS ZN) (UG/L)	REPORTD	*********	*********		*********	*********					
	REQRMNT	*********	*********		*********	*********	NL	UG/L		1/3M	GRAB

ADDITIONAL PERMIT REQUIREMENTS OR COMMENTS

BYPASSES AND OVERFLOWS	TOTAL OCCURRENCES	TOTAL FLOW(M.G.)	TOTAL BOD5(K.G.)

I CERTIFY UNDER PENALTY OF LAW THAT THIS DOCUMENT AND ALL ATTACHMENTS WERE PREPARED UNDER MY DIRECTION OR SUPERVISION IN ACCORDANCE WITH A SYSTEM DESIGNED TO ASSURE THAT QUALIFIED PERSONNEL PROPERLY GATHER AND EVALUATE THE INFORMATION SUBMITTED. BASED ON MY INQUIRY OF THE PERSON OR PERSONS WHO MANAGE THE SYSTEM OR THOSE PERSONS DIRECTLY RESPONSIBLE FOR GATHERING THE INFORMATION, THE INFORMATION SUBMITTED IS TO THE BEST OF MY KNOWLEDGE AND BELIEF TRUE, ACCURATE AND COMPLETE. I AM AWARE THAT THERE ARE SIGNIFICANT PENALTIES FOR SUBMITTING FALSE INFORMATION, INCLUDING THE POSSIBILITY OF FINE AND IMPRISONMENT FOR KNOWING VIOLATIONS. SEE 18 U.S.C. & 1001 AND 33 U.S.C. & 1319. (Penalties under these statutes may include fines up to $10,000 and/or maximum imprisonment of between 6 months and 5 years.)

OPERATOR IN RESPONSIBLE CHARGE			DATE		
TYPED OR PRINTED NAME	SIGNATURE	CERTIFICATE NO.	YEAR	MO.	DAY
PRINCIPAL EXECUTIVE OFFICER OR AUTHORIZED AGENT		TELEPHONE			
TYPED OR PRINTED NAME	SIGNATURE		YEAR	MO.	DAY

PERMITTEE NAME/ADDRESS(INCLUDE FACILITY NAME/LOCATION IF DIFFERENT)

NAME Ampro Shipyard
ADDRESS PO Box 2056
Kilmarnock VA 22482
FACILITY LOCATION 25 Shipyard Ln

COMMONWEALTH OF VIRGINIA
DEPARTMENT OF ENVIRONMENTAL QUALITY
NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM(NPDES)
DISCHARGE MONITORING REPORT(DMR)

Industrial Minor 09/30/2008

DEPT. OF ENVIRONMENTAL QUALITY (REGIONAL OFFICE)
Piedmont Regional Office
4949-A Cox Road
Glen Allen VA 23060

NOTE: READ PERMIT AND GENERAL INSTRUCTIONS BEFORE COMPLETING THIS FORM.

PERMIT NUMBER	DISCHARGE NUMBER
VA0089303	907

MONITORING PERIOD

	YEAR	MO	DAY		YEAR	MO	DAY
FROM				TO			

PARAMETER		QUANTITY OR LOADING			QUALITY OR CONCENTRATION				NO. EX.	FREQUENCY OF ANALYSIS	SAMPLE TYPE
		AVERAGE	MAXIMUM	UNITS	MINIMUM	AVERAGE	MAXIMUM	UNITS			
001 FLOW	REPORTD	*********			*********	*********	*********				
	REQRMNT	*********	NL	MG	*********	*********	*********			1/3M	EST
002 PH	REPORTD	*********	*********			*********					
	REQRMNT	*********	*********		6.0	*********	9.0	SU		1/6M	GRAB
004 TSS	REPORTD	*********	*********		*********	*********					
	REQRMNT	*********	*********		*********	*********	NL	MG/L		1/6M	GRAB
008 COD	REPORTD	*********	*********		*********	*********					
	REQRMNT	*********	*********		*********	*********	NL	MG/L		1/6M	GRAB
018 CYANIDE, TOTAL (AS CN)	REPORTD	*********	*********		*********						
	REQRMNT	*********	*********		*********	NL	NL	MG/L		1/6M	GRAB
039 AMMONIA, AS N	REPORTD	*********	*********		*********						
	REQRMNT	*********	*********		*********	NL	NL	MG/L		1/6M	GRAB
257 PETROLEUM HYDROCARBONS, TOTAL RECOVE	REPORTD	*********	*********		*********	*********					
	REQRMNT	*********	*********		*********	*********	NL	MG/L		1/6M	GRAB
405 LEAD, DISSOLVED	REPORTD	*********	*********		*********	*********					
	REQRMNT	*********	*********		*********	*********	NL	UG/L		1/6M	GRAB

ADDITIONAL PERMIT REQUIREMENTS OR COMMENTS

BYPASSES AND OVERFLOWS	TOTAL OCCURRENCES	TOTAL FLOW(M.G.)	TOTAL BOD5(K.G.)

I CERTIFY UNDER PENALTY OF LAW THAT THIS DOCUMENT AND ALL ATTACHMENTS WERE PREPARED UNDER MY DIRECTION OR SUPERVISION IN ACCORDANCE WITH A SYSTEM DESIGNED TO ASSURE THAT QUALIFIED PERSONNEL PROPERLY GATHER AND EVALUATE THE INFORMATION SUBMITTED. BASED ON MY INQUIRY OF THE PERSON OR PERSONS WHO MANAGE THE SYSTEM OR THOSE PERSONS DIRECTLY RESPONSIBLE FOR GATHERING THE INFORMATION, THE INFORMATION SUBMITTED IS TO THE BEST OF MY KNOWLEDGE AND BELIEF TRUE, ACCURATE AND COMPLETE. I AM AWARE THAT THERE ARE SIGNIFICANT PENALTIES FOR SUBMITTING FALSE INFORMATION, INCLUDING THE POSSIBILITY OF FINE AND IMPRISONMENT FOR KNOWING VIOLATIONS. SEE 18 U.S.C. & 1001 AND 33 U.S.C. & 1319. (Penalties under these statutes may include fines up to $10,000 and/or maximum imprisonment of between 6 months and 5 years.)

OPERATOR IN RESPONSIBLE CHARGE			DATE		
TYPED OR PRINTED NAME	SIGNATURE	CERTIFICATE NO.	YEAR	MO.	DAY
PRINCIPAL EXECUTIVE OFFICER OR AUTHORIZED AGENT		TELEPHONE			
TYPED OR PRINTED NAME	SIGNATURE		YEAR	MO.	DAY

PERMITTEE NAME/ADDRESS(INCLUDE FACILITY NAME/LOCATION IF DIFFERENT)

NAME Ampro Shipyard
ADDRESS PO Box 2056
Kilmarnock VA 22482
FACILITY LOCATION 25 Shipyard Ln

COMMONWEALTH OF VIRGINIA
DEPARTMENT OF ENVIRONMENTAL QUALITY
NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM(NPDES)
DISCHARGE MONITORING REPORT(DMR)

VA0089303	907
PERMIT NUMBER	DISCHARGE NUMBER

MONITORING PERIOD

	YEAR	MO	DAY		YEAR	MO	DAY
FROM				TO			

Industrial Minor 09/30/2008

DEPT. OF ENVIRONMENTAL QUALITY
(REGIONAL OFFICE)
Piedmont Regional Office
4949-A Cox Road
Glen Allen VA 23060

NOTE: READ PERMIT AND GENERAL INSTRUCTIONS BEFORE COMPLETING THIS FORM.

PARAMETER		QUANTITY OR LOADING			QUALITY OR CONCENTRATION				NO. EX.	FREQUENCY OF ANALYSIS	SAMPLE TYPE
		AVERAGE	MAXIMUM	UNITS	MINIMUM	AVERAGE	MAXIMUM	UNITS			
442 COPPER, DISSOLVED (UG/L AS CU)	REPORTD	*********	*********		*********	*********					
	REQRMNT	*********	*********		*********	*********	NL	UG/L		1/3M	GRAB
448 ZINC, DISSOLVED (AS ZN) (UG/L)	REPORTD		*********		*********	*********					
	REQRMNT	********	*********		*********	*********	NL	UG/L		1/6M	GRAB
	REPORTD										
	REQRMNT									*******	
	REPORTD										
	REQRMNT									*******	
	REPORTD										
	REQRMNT									*******	
	REPORTD										
	REQRMNT									*******	
	REPORTD										
	REQRMNT									*******	
	REPORTD										
	REQRMNT									*******	

ADDITIONAL PERMIT REQUIREMENTS OR COMMENTS

BYPASSES AND OVERFLOWS	TOTAL OCCURRENCES	TOTAL FLOW(M.G.)	TOTAL BOD5(K.G.)

I CERTIFY UNDER PENALTY OF LAW THAT THIS DOCUMENT AND ALL ATTACHMENTS WERE PREPARED UNDER MY DIRECTION OR SUPERVISION IN ACCORDANCE WITH A SYSTEM DESIGNED TO ASSURE THAT QUALIFIED PERSONNEL PROPERLY GATHER AND EVALUATE THE INFORMATION SUBMITTED. BASED ON MY INQUIRY OF THE PERSON OR PERSONS WHO MANAGE THE SYSTEM OR THOSE PERSONS DIRECTLY RESPONSIBLE FOR GATHERING THE INFORMATION, THE INFORMATION SUBMITTED IS TO THE BEST OF MY KNOWLEDGE AND BELIEF TRUE, ACCURATE AND COMPLETE. I AM AWARE THAT THERE ARE SIGNIFICANT PENALTIES FOR SUBMITTING FALSE INFORMATION, INCLUDING THE POSSIBILITY OF FINE AND IMPRISONMENT FOR KNOWING VIOLATIONS. SEE 18 U.S.C. & 1001 AND 33 U.S.C. & 1319. (Penalties under these statutes may include fines up to $10,000 and/or maximum imprisonment of between 6 months and 5 years.)

OPERATOR IN RESPONSIBLE CHARGE			DATE		
TYPED OR PRINTED NAME	SIGNATURE	CERTIFICATE NO.	YEAR	MO.	DAY
PRINCIPAL EXECUTIVE OFFICER OR AUTHORIZED AGENT		TELEPHONE			
TYPED OR PRINTED NAME	SIGNATURE		YEAR	MO.	DAY

THIS REPORT IS REQUIRED BY LAW (33 U. S. C. § 1318 40 CFR 122.41(l)(4)(i)). FAILURE TO REPORT OR FAILURE TO REPORT TRUTHFULLY CAN RESULT IN CIVIL PENALTIES NOT TO EXCEED $10,000 PER DAY OF VIOLATION: OR IN CRIMINAL PENALTIES NOT TO EXCEED $25,000 PER DAY OF VIOLATION OR BY IMPRISONMENT FOR NOT MORE THAN FIVE YEARS, OR BOTH.

GENERAL INSTRUCTIONS

1. Complete this form in permanent ink or indelible pencil.
2. Be sure to enter the dates for the first and last day of the period covered by the report on the form in the space marked "Monitoring Period".
3. For those parameters where the "permit requirement" spaces are blank or a limitation appears, provide data in the "reported" spaces in accordance with your permit.
4. Enter the average and, if appropriate, maximum quantities and units in the "reported" spaces in the columns marked "Quantity or Loading". KG/DAY = Concentration(mg/l) x Flow(MGD) x 3.785.
5. Enter maximum, minimum, and/or average concentrations and units in the "reported" spaces in the columns marked "Quality or Concentration".
6. Enter the number of samples which do not comply with the maximum and /or minimum permit requirements in the "reported" space in the column marked "No. Ex.".
7. Enter the actual frequency of analysis for each parameter (number of times per day, week, month) in the "reported" space in the column marked "Frequency of Analysis".
8. Enter the actual type of sample collected for each parameter in the "reported" space in the column marked "Sample Type".
9. Enter additional required data or comments in the space marked "additional permit requirements or comments".
10. Record the number of bypasses during the month, the total flow in million gallons and BOD5 in kilograms in the proper columns in the section marked "Bypasses and Overflows".
11. The operator in responsible charge of the facility should review the form and sign in the space provided. If the plant is required to have a licensed operator, the operator's certificate number should be reported in the space provided.
12. The principal executive officer should then review the form and sign in the space provided and provide a telephone number where he/she can be reached.
13. You are required to sample at the frequency and type indicated in your permit.
14. Send the completed form to your Dept. of Environmental Quality Regional Office by the 10th of each month.
15. You are required to retain a copy of the report for your records.
16. Where violations of permit requirements are reported, attach a brief explanation in accordance with the permit requirements describing causes and corrective actions taken. Reference each violation by date.
17. If you have any questions, contact the Dept. of Environmental Quality Regional Office.

B. COMPLIANCE SCHEDULE

The permittee shall achieve compliance with the final limits for Total Recoverable Copper, Total Recoverable Zinc, Ammonia-Nitrogen and Dissolved Oxygen at 001 as specified in this permit in accordance with the following schedule:

1. Report of progress to DEQ	**Annually, after the effective date of permit reissuance.**
2. Achieve Compliance with Effluent Limitations.	**Within 4 years of the effective date of permit reissuance**.

In accordance with the dates identified in the above schedule of compliance, the permittee shall submit to the Piedmont Regional Office either a report of progress, or, in the case of specific actions being required by identified dates, a written notice of compliance or noncompliance. In the latter case, the notice shall include the cause of noncompliance, any remedial actions taken, and the probability of meeting the next scheduled requirement.

C. OTHER REQUIREMENTS OR SPECIAL CONDITIONS

1. Permit Reopeners
This permit shall be modified or, alternatively, revoked and reissued:

a. If any approved wasteload allocation procedure, pursuant to section 303(d) of the Clean Water Act, imposes wasteload allocations, limits or conditions on the facility that are not consistent with the permit requirements;

b. To incorporate alternative nutrient limitations and/or monitoring requirements, should:

i. the State Water Control Board adopt new nutrient standards for the water body receiving the discharge, including the Chesapeake Bay or its tributaries, or

ii. a future water quality regulation or statute requires new or alternative nutrient control, or

c. Should effluent monitoring indicate the need for any water quality-based limitations, this permit may be modified or alternatively revoked and reissued to incorporate appropriate limitations.

2. Materials Handling and Storage

Any and all product, materials, industrial wastes, and/or other wastes resulting from the purchase, sale, mining, extraction, transport, preparation and/or storage of raw or intermediate materials, final product, by-product or wastes, shall be handled, disposed of and/or stored in such a manner so as not to permit a discharge of such product,

materials, industrial wastes and/or other wastes to State waters, except as expressly authorized.

3. Best Management Practices (BMP)

a. The permittee shall comply with the following

(1) The permittee shall provide adequate disposal services for all sanitary wastes generated by vessels moored or docked at the permitted facility to remove and dispose of all sewage from the vessels by discharge into the permitted facility's sanitary waste system or other appropriate collection means, in compliance with the Virginia Department of Health Regulations.

(2) Vessels which have been fitted to collect gray water, either with sewage or separately, shall not discharge the gray water into surface waters unless specifically addressed as a permitted discharge in Part I.A. effluent limitations.

(3) The yard, affected piers and shoreside support areas shall be cleaned on a regular basis to minimize the possibility that runoff will carry spent abrasives, paints, solvents, cleaners, anti-corrosive compounds, paint chips, scrap metal, trash, garbage, petroleum products or other debris into the receiving water. Items such as welding rods, wood, plastic, miscellaneous trash, paper, glass, packaging, industrial scrap, insulation and scrap metal must be routinely removed from the general yard area for reuse or disposal. Cleanup of areas contributing runoff shall consist of mechanical or manual methods to sweep up and collect the debris.

Mechanical cleanup may be accomplished by mechanical sweepers, front end loaders, vacuum cleaners or other innovative equipment. Manual methods include the use of shovels and brooms.

(4) Marine railway carriages shall be cleaned before lowering and launching to prevent the discharge of pollutants to the waterway. They shall also be cleaned on a regular basis while a ship is on the railway carriage so as to prevent rain from washing material into receiving waters.

(5) Acceptable methods of control shall be utilized during abrasive blasting and spray painting, with the intent of preventing blast dust and overspray from falling into the receiving water or any storm sewer system. For marine railways, these include the following: downspraying of blast materials and paint; barriers or shrouds beneath the hull; barriers or shrouds between the hull and temporary/permanent support structures, from the flying bridge to temporary/permanent support structures, or from the bow and stern of the vessel to temporary structures erected for that purpose. The bottom edge of free hanging barriers shall be weighted to hold them in place during a light breeze.

When abrasive blasting vessel superstructures, openings and open areas between decks shall be covered (including but not limited to scuppers, railings, freeing ports, ladders, and doorways) if they allow discharge to State waters.

(6) Fixed or floating platforms shall be used as work surfaces when working at the water surface. These platforms shall be used to provide a surface to catch spent abrasive, slag, paint, trash and other debris/pollutants and shall be cleaned at the end of each work shift.

(7) Dust and overspray from abrasive blasting and painting in yard facilities shall be controlled to minimize the spreading of wind blown materials. Frequent cleanup of these areas shall be practiced to prevent abrasive blasting waste from being washed into storm sewers or the adjacent waterway.

(8) Pressure washing used for the purpose of vessel maintenance or removing marine growth, marine salts and sediments for the hulls are defined process wastewaters subject to Part I.A. effluent monitoring. The resulting wastewater shall be contained in a manner to prevent or minimize the discharge of marine growth, sediments, paint particles and metal scale to the waterway.

(9) When water blasting, hydroblasting, or water-cone blasting is used to remove paint from surfaces or reprofile properly adhering coatings, the resulting process wastewater and debris shall be collected in a sump or other suitable device. This mixture then will be either delivered to appropriate containers for removal and disposal or subjected to treatment to concentrate the solids for proper disposal and prepare the water for reuse or discharge through an authorized outfall subject to Part I.A. effluent monitoring, as may be appropriate.

(10) When in drydock or upon a railway, all shipboard cooling water and process water shall be directed away from contact with spent abrasive, paint and other debris. Contact of spent abrasive and paint with water will be prevented by proper segregation and control of wastewater streams, unless using suitable wastewater collection or treatment systems.

(11) The sediment traps in the stormwater drainage system(s) for areas around marine railways and other industrial areas where solid pollutants such as blast grit, paint and welding slag and spent rods can accumulate shall be inspected on a monthly basis and cleaned as necessary to ensure the interception and retention of solids entering the drainage system. Inspection logs and cleaning records must be maintained.

(12) During the period on the railway, oil, grease or fuel spills shall be prevented from reaching State waters. Cleanup shall be carried out promptly after an oil, grease or fuel spill is detected. Oil containment booms shall be conveniently stored so as to be immediately deployable in the event of a spill.

(13) Drip pans or other protective devices shall be required for all oil or oily waste transfer operations to catch incidental spillage and drips from hose nozzles, hose racks, drums or barrels.

(14) Oil contaminated materials shall be removed from the marine railway area as soon as possible, and in all cases prior to submersion of the railway carriage.

(15) The permittee shall prepare and maintain current all plans and contingency documents required by State and Federal Laws and regulations addressing oil storage facilities and or petroleum product spills. These plans shall be retained at the facility for immediate implementation in the event a petroleum spill occurs. Emulsifiers and dispersants are not suitable cleanup agents to facilitate cleanup and/or remediation of petroleum product spills into State waters. The requirements and cleanup referenced above shall also apply to any hazardous substances which may be stored at, and /or transshipped through this facility.

(16) Solid chemicals, chemical solutions, paints, oils, solvents, acids, caustic solutions and waste materials, including used batteries, shall be stored in a manner which will prevent the entry of these materials into waters of the State, including ground waters. Materials shall be plainly labeled for easy identification. Storage shall be in a manner that will prevent entry into State waters by overfilling, tipping, rupture, or other accidents within the storage area.

(17) All metal finishing chemical solution, caustic wash, and rinse-water tanks shall be stored in such a manner so as to prevent introduction of spills into State waters and plainly labeled for easy identification. Any intercepted chemical spill shall be recycled back to the appropriate chemical solution tank or disposed of. The spilled material must be handled, recycled or disposed of in such a manner as to prevent its discharge into State waters.

(18) Drip pans or other protective devices shall be required for all paint mixing and solvent transfer operations, unless the mixing operation is carried out in controlled areas away from storm drains, surface waters, shorelines and piers. Drip pans, drop cloths or tarpaulins shall be used whenever paints and solvents are mixed. Sorbents must be on hand to soak up liquid spills. Paints and solvents shall not be mixed in areas

where spillage would have direct access to State waters unless containment measures are employed.

(19) Paint and solvent spills shall be prevented from reaching storm drains or deck drains and subsequent discharge into the water, and shall be cleaned up promptly.

(20) The amount of paint stored within the marine railway area and/or on a lighter floor shall be kept to a minimum.

(21) Trash receptacles shall be provided on each pier and onboard each vessel being repaired. These receptacles shall be emptied as necessary to prevent trash from entering State waters.

(22) Leaking connections, valves, pipes, hoses and soil chutes carrying wastewater shall be replaced or repaired immediately. Soil chute and hose connections to vessels and to receiving lines or containers shall be tightly connected and leak free.

(23) Any water testing (hose testing) shall be conducted in a manner to preclude spent abrasives, paint residues, debris and other pollutants from areas of the marine railway from entering the adjacent waterway.

(24) Floatable and low-density waste such as wood and plastic, as well as miscellaneous trash such as paper, insulation, and packaging, etc., shall be removed from the marine railway carriage and ramp before launching.

(25) The permittee shall provide adequate disposal services for all oil contaminated bilge and ballast water generated from vessels moored or docked at the permitted facility. Bilge water which has been mixed with industrial wastes shall not be discharged directly to State waters and must be collected, treated and disposed of through a permitted shoreside industrial waste treatment facility, or as appropriate, handled as a hazardous waste as required by Virginia's Solid Waste Regulations.

(26) All vessels that are hauled shall be beyond the normal high tidal zone. In the event of vessel overhang during abnormally high tides, all exterior abrasive/water blasting and coating work on the overhanging portion of the vessel shall be discontinued. Exterior work on vessels will not be in areas that extend beyond the length and width of the marine railway, unless appropriate precautions are taken to prevent discharge of pollutants into State waters.

(27) Docking and launching time intervals shall not be considered as a rationale for not cleaning a marine railway.

(28) Innovative measures for collecting abrasives may be presented to the DEQ for evaluation.

(29) Material (spent abrasives, paint chips, etc.) shall be cleaned up from the area in the vicinity of marine railways before the incoming tide.

(30) For all vessels other than Vessels of the Armed Forces, as defined by the Uniform National Discharge Standards (UNDS), acceptable methods of operational controls shall be no less stringent than those currently developed and promulgated by the U.S. Navy or U.S. Coast Guard under the UNDS. At a minimum, these operational controls shall be utilized during any cleaning of a vessel's hull while waterborne at a ship repair and maintenance facility, with the intent of preventing or reducing to the maximum extent practicable contamination of receiving waters and underlying sediments.

Monthly reports of all individual in-water hull cleaning activities shall be filed with the BMP compliance reports required by Part b. below. This information shall include the type and size of vessel, the amount of hull cleaned in square footage, the type of AF/AC paints involved, the number of divers and equipment used, and complete description of any BMPs used.

To verify that this industrial practice is not having an adverse environmental impact, the permittee shall prepare a marine sediment sampling plan for all areas along the facility's waterfront where this practice may be performed. The plan shall be comprehensive and performed no less than once-per-year during the term of the permit. Once developed, the marine sediment sampling plan shall be submitted to the Department for review and approval. The plan must be approved prior to conducting any activities in this regard.

(31) Additional management practices that shall be followed include:

(a) Whenever practicable, in-water vessel hull cleaning shall be performed with equipment specifically designed for this purpose and capable of collecting the resulting debris (slimes, soft/hard biological growth, paint, scale, debris) for treatment and approved discharge at the facility or elsewhere.

(b) Activities performed for this purpose shall not cause a slick, sheen or discolored plumes indicative of hull paint removal. Should distinct plumes result from in-water hull cleaning activities, the cleaning shall cease immediately and an assessment performed to determine if the in-water activity can continue without disturbing the underlying hull coatings. If it is determined that cleaning will continue to remove or otherwise disturb the hull coating, the in-water activities must cease.

(c) The underwater cleaning, hydro-blasting, sanding or stripping of hull coatings formulated with any amount of organotin (tributyltin, TBTO, TBT, etc.) is prohibited.

(d) Wait a minimum of 90-days after the application of a new hull coatings formulated with copper, zinc and/or other biocides before performing in-water cleaning.

(e) On vessels with soft, blistered, sloughing, or any ablative coating systems, only the vessel's running gear (propellers, shafting, etc.) can be cleaned while waterborne.

(f) Stainless steel brushes or pads can only be used on non-painted and/or metal surfaces.

(g) For rotating hull cleaning equipment, use long bristle soft brushes passed quickly and lightly over the coating's surface.

(h) If performed without mechanical assistance, use only soft materials to clean the hull (carpet, sponge, etc.) and avoid hard tools such as chisels, scrapers as these could damage the underlying coating systems.

(i) Zinc anodes may be replaced, but the scrap anodes shall be brought ashore for recycling or proper disposal.

b. Reporting

The permittee shall **submit a monthly report** to DEQ no later than the 10th of the following month certifying compliance or noncompliance with all conditions of the preceding BMPs pertaining to marine railways, piers, wetslips and shore side work areas. The reporting form is provided as Attachment A to this permit. The report, as submitted on Attachment A, shall include a weekly audit checklist for these areas and a narrative description of observations. The audit shall be conducted by personnel not routinely associated with the aforementioned activities.

4. Sampling Methodology for Specific Outfalls

a. Due to the nature of the effluent discharged at outfall 001, the following shall be required when obtaining process wastewater samples required by Part I.A.1 of this permit:

(1) At the time of sampling, the permittee shall ensure that the effects of tidal influences are kept to an absolute minimum. This can be achieved by:

(a) Sampling at low tide and/or

(b) Sampling at a representative point which has been demonstrated to be free of tidal influences

(2) In the event that sampling of an outfall is not possible due to the absence of flow during a particular testing period, the permittee shall provide written notification to DEQ with the DMR for the month following the period in which samples were to be collected.

b. Specific Requirements – Outfall 001

(1) Should pressure washing occur at this facility, effluent sampling required by Part I.A.1 shall take place at a frequency of 1/6 months when these hull preparation methods are employed (See Part I.A. the definition of the sampling frequency). Sampling shall be performed within the first hour following the initiation of a process wastewater discharge. Sampling shall be conducted in such a manner as to collect only the process wastewater discharge(s) and when it is not raining.

The permittee shall submit a report to the DEQ Piedmont Regional Office no later than the 10th of the month following a discharge from pressure washing activities. The report shall include, but not be limited to, the following information describing the actual method of wastewater generation and sample collection:

(a) The name, size and type of vessel receiving service, and the type(s) of service(s) being provided (complete coating removal, existing surface profiling, means of pressure washing performed and pressures used, etc.).

(b) The type and expected composition of the hull coating being removed or prepared for resurfacing.

(c) The date and time that the samples were collected, the time that process wastewater generating activities began and a detailed description of the method(s) by which the samples were collected (written, photographic, etc.).

(d) An estimate of the total volume of process wastewater generated, the total duration of the wastewater generating event, and a description of the best management practices imposed to reduce the potential for pollutants to enter the receiving stream from these types of process activities.

5. Compliance Reporting

a. The Maximum Quantification levels (QL) shall be as follows:

Effluent Characteristic	Quantification Level
Total Suspended Solids (mg/l)	1.0
Total Recoverable Copper (ug/l)	1.9

Effluent Characteristic	Quantification Level
Dissolved Lead (ug/l)	48
Total Recoverable Zinc (ug/l)	18
Dissolved Arsenic (ug/l)	14
Ammonia-N (mg/l)	0.2
Total Cyanide (ug/l)	10.0
Dissolved Sulfide (ug/l)	0.10

b. Reporting

Monthly Average -- Compliance with the monthly average limitations and/or reporting requirements for the parameters listed in a. above shall be determined as follows: All concentration data below the QL listed in a. above shall be treated as zero. All concentration data equal to or above the QL listed in a. above shall be treated as it is reported. An arithmetic average shall be calculated using all reported data for the month, including the defined zeros. This arithmetic average shall be reported on the Discharge Monitoring Report (DMR) as calculated. If all data are below the QL, then the average shall be reported as "<QL". If reporting for quantity is required on the DMR and the calculated concentration is "<QL", then report "<QL" for the quantity. Otherwise use the concentration data and flow data for each sample day to determine the daily quantity and report the average of the calculated daily quantities.

Daily Maximum – Compliance with the daily maximum limitations and/or reporting requirements for the parameters listed in a. above shall be determined as follows: All concentration data below the QL listed in a. above shall be treated as zero. All concentration data equal to or above the QL listed in a. above shall be treated as reported. An arithmetic average shall be calculated using all reported data, including the defined zeros, collected within each day during the reporting month. The maximum value of these daily averages thus determined shall be reported on the DMR as the Daily Maximum. If all data are below the QL, then the maximum value of the daily averages shall be reported as "<QL". If reporting for quantity is required on the DMR and the calculated daily maximum is "<QL", then report "<QL" for the quantity. Otherwise use the daily average concentrations and corresponding daily flows to determine daily average quantities and report the maximum of the daily average quantities.

c. Any single datum required shall be reported as "<QL" if it is less than the QL in section a. above. Otherwise the numerical value shall be reported.

d. **Significant Digits** -- The permittee shall report at least the same number of significant digits as the permit limit for a given parameter. Regardless of the rounding convention used by the permittee (i.e., 5 always rounding up or to the nearest even number), the permittee shall use the convention consistently, and shall ensure that consulting laboratories employed by the permittee use the same convention.

6. Notification Levels

The permittee shall notify the Department as soon as they know or have reason to believe:

a. That any activity has occurred or will occur which would result in the discharge, on a routine or frequent basis, of any pollutant which is not limited in this permit, if that discharge will exceed the highest of the following notification levels:

(1) One hundred micrograms per liter (100 ug/l);
(2) Two hundred micrograms per liter (200 ug/l) for acrolein and acrylonitrile; five hundred micrograms per liter (500 ug/l) for 2,4-dinitrophenol and for 2-methyl-4,6-dinitrophenol; and one milligram per liter (1 mg/l) for antimony
(3) Five (5) times the maximum concentration value reported for that pollutant in the permit application; or
(4) The level established by the Board.

b. That any activity has occurred or will occur which would result in any discharge, on a non-routine or infrequent basis, of a pollutant which is not limited in this permit, if that discharge will exceed the highest of the following notification levels:

(1) Five hundred micrograms per liter (500 ug/l);
(2) One milligram per liter (1 mg/l) for antimony;
(3) Ten (10) times the maximum concentration value reported for that pollutant in the permit application.
(4) The level established by the Board.

7. Tributyltin Exclusion (TBT)

The removal and/or application (hereafter referred to as use) of hull coatings which contain the biocide tributyltin are prohibited at this permitted facility. Should the permittee consider using hull coatings and/or paints which contain this toxin, this permit must be modified or, alternatively, revoked and reissued to incorporate a limit which addresses the State's water quality standard for tributyltin prior to its use.

8. Operation and Maintenance Manual Requirement

The permittee shall review the existing Operations and Maintenance (O&M) Manual and notify the DEQ regional office within 90 days of the effective date of this permit, in writing, whether it is still accurate and complete. If the O&M manual is no longer accurate and complete, a revised O&M Manual shall be submitted for approval within 90 days of the effective date of this permit. The permittee shall maintain an accurate, approved O&M Manual for the treatment works. This manual shall detail the practices and procedures which will be followed to ensure compliance with the requirements of this permit. The permittee shall operate the treatment works in compliance with the approved O&M manual. This manual shall include, but not necessarily be limited to, the following items, as appropriate:

a. Techniques to be employed in the collection, preservation, and analysis of effluent samples;
b. Procedures for measuring and recording the duration and volume of treated wastewater discharged;
c. Discussion of Best Management Practices, if applicable;
d. Procedures for handling, storing, and disposing of all wastes, fluids and pollutants characterized in Part I.C.2 that will prevent these materials from reaching state waters; and
e. Treatment works design, treatment works operation, routing preventative maintenance of units within the treatment works, critical spare parts inventory and record keeping; and
f. A sludge/solids disposal plan.

Any changes in the practices and procedures followed by the permittee shall be documented and submitted for staff approval within 90 days of the effective date of the changes. Upon approval of the submitted manual changes, the revised manual becomes an enforceable part of the permit. Noncompliance with the O&M manual shall be deemed a violation of the permit.

9. Closure Plan

If the permittee plans an expansion or upgrade to replace the existing treatment works, or if the facility is permanently closed, the permittee shall submit to the DEQ a closure plan for the existing treatment works. The plan shall address liquid and sludge removal, odor control measures, structure and pipe removal, steps to prevent unauthorized access, fill materials and final grading and seeding. The plan should contain proposed dates for beginning and completion of the work. The plan must be approved by the DEQ prior to implementation. The permittee may continue discharging until the effluent no longer meets the permit limits, or the permit expires or is terminated, whichever comes first.

D. Whole Effluent Toxicity (WET)

1. Biological Monitoring - 001

a. In accordance with the schedule in I.D.3. below, the permittee shall conduct a minimum of 11 acute toxicity tests for each of the two species for the duration of the permit. The permittee shall collect 24-hour flow-proportioned composite samples of final effluent from outfall 001 when it is not raining. The permittee shall collect the samples as described in I.D.2, below.

b. The acute multi – dilution NOAEC tests to use are:

48-hour static test using Americamysis bahia *(formerly Mysidopsis bahia)*
48-hour static test using Cyprinodon variegatus

These acute tests shall be performed using 5 geometric dilutions of effluent with a minimum of 4 replicates, with 5 organisms in each. The NOAEC (No Observed Adverse Effect Concentration), as determined by hypothesis testing, shall be reported on the DMR as NOAEC = % effluent. The LC_{50} should also be determined and noted on the submitted report. Tests in which control survival is less than 90% are not acceptable.

The permittee may provide additional samples to address data variability; these data shall be reported and may be included in the evaluation of effluent toxicity. Test procedures and reporting shall be in accordance with the WET testing methods cited in 40 CFR 136.3.

c. The test dilutions should be able to determine compliance with the following endpoints:

Acute NOAEC of **100%** equivalent to a TU_a of **1.00**

d. The test data will be evaluated for reasonable potential at the conclusion of the permit term. The data may be evaluated sooner if requested by the permittee or if toxicity has been noted. Should evaluation of the data indicate that a limit is needed, a WET limit and compliance schedule will be required and the toxicity tests in I.D.1.a. above may be discontinued. The permit may be modified or revoked and reissued to include pollutant specific limits in lieu of a WET limit should it be demonstrated that toxicity is due to specific parameters. The pollutant specific limits must control the toxicity of the effluent.

e. If, after evaluating the data, it is determined that no limit is needed, the permittee shall continue acute toxicity testing (both species) of the outfall annually, as on the reporting schedule in I.D.2. below.

f. All applicable data will be reevaluated for reasonable potential at the end of the permit term.

2. Effluent Sampling and Reporting Requirements – Outfall 001

a. The permittee shall collect composite samples of effluent from outfall 001 for biological testing when pressure washing occurs in accordance with the schedule in Part I.D.3 below. Each composite sample shall consist of grab samples collected hourly during the period of discharge or, during the initial 24 hours of discharge, should the duration of the discharge exceed 24 hours. Effluent sampling shall begin as soon as possible following the initiation of the discharge.

b. The permittee shall include (see Attachment B) with the results of Whole Effluent Toxicity tests performed for a particular sample:

(1) The name, size and type of vessel receiving service, and the type(s) of service(s) being provided (complete coating removal, existing surface profiling, means of water blasting performed and pressures used, etc.).

(2) The type and expected composition of the hull coating being removed or prepared for resurfacing.

(3) The date and time that the samples were collected, the time that process wastewater generating activities began and a detailed description of the method(s) by which the samples were collected (written, photographic, etc.).

(4) An estimate of the total volume of process wastewater generated, the total duration of the wastewater generating event, and a description of the best management practices imposed to reduce the potential for pollutants to enter the receiving stream from these types of process activities.

c. If a significant delay occurs between the beginning of any discharge and the time that any effluent samples are obtained, the permittee may be required to justify the reasons for any such delays. Failure to sample or report as required above may result in invalidation of a particular sample or test result.

3. Reporting Schedule for 001

The permittee shall submit reports in accordance with the schedule below with the monthly submittals and supply 2 copies of the toxicity test report for the tests specified. By the compliance dates listed below, for calendar years 1-3, the permittee shall have submitted 3 tests for each species. A minimum of one test for each species shall be required for years 4 and 5:

Period	Compliance Date	Submittal Date
Year 1	By 12/31/2008	By 01/10/2009
Year 2	By 12/31/2009	By 01/10/2010
Year 3	By 12/31/2010	By 01/10/2011
Year 4	By 12/31/2011	By 01/10/2012
Year 5	By 12/31/2012	By 01/10/2013

In the event that sampling of a particular outfall as in I.D.1. above, is not possible due to the absence of effluent flow during a particular testing period, the permittee shall provide written notification to the Department's Piedmont Regional Office with the DMR submitted for the month following the period in which the toxicity tests were to have been conducted. In such cases, the reporting schedule in I.D.3, above, shall be adjusted. The requirement for sampling of the outfall shall continue until the required number of toxicity tests have been performed.

E. STORM WATER MANAGEMENT

1. STORM WATER MANAGEMENT EVALUATION

The Storm Water Pollution Prevention Plan, SWPPP, which is to be developed and maintained in accordance with Part I.F. and G. of this permit, shall have a goal of reducing pollutants discharged at all the regulated storm water outfalls.

a. Pollutant Specific Screening.

One goal of the SWPPP shall place emphasis on reducing, to the maximum extent practicable, the following pollutants in the outfalls noted below.

OUTFALL NO.	POLLUTANTS
901	Copper
	Zinc
907	Copper
	Ammonia-Nitrogen
	Zinc (observed at "SW 001," or 908)

b. Toxicity Screening.

1. The permittee shall conduct annual acute toxicity tests on the outfalls noted in E.1.a. above and those deemed equivalent to 907 (908, 909 and 910) using grab samples of final effluent. These tests shall be 48-hour static tests using Americamysis bahia , conducted in such a manner and at sufficient dilutions for calculation of a valid LC_{50}. The tests shall be conducted on a calendar year basis with one copy of all results and all supporting information submitted with the annual report due by ***June 10th*** of each year. Technical assistance in developing the procedures for these tests will be provided by the Department of Environmental Quality (DEQ), if requested by the permittee. If any of the biological tests are invalidated, an additional test shall be conducted within thirty (30) days of notification. If there is no discharge during this 30-day period, a sample must be taken during the first qualifying discharge.

2. The permittee shall submit the following information with the results of the toxicity tests.

(a) The actual or estimated effluent flow at the time of the sampling.

(b) An estimate of the total volume of storm water discharged through each outfall during the discharge event.

(c) The time at which the discharge event began, the time at which the effluent was sampled, and the duration of the discharge event.

c. The effectiveness of the SWPPP will be evaluated via the required monitoring for all parameters listed in Part I.A of this permit for the regulated storm water outfalls and the toxicity screening required by this special condition. Those results will justify the need to reexamine the SWPPP and any best management practices (BMPs) being utilized for the affected

outfalls. In addition, the permittee shall amend the SWPPP whenever there is a change in the facility or its operation which materially increases the potential for activities to result in a discharge of significant amounts of pollutants.

d. By ***June 10*** of each year, the permittee shall submit to the DEQ Regional Office an Annual Report which includes the pollutant-specific and biological monitoring data from the outfalls included in this condition along with a summary of any steps taken to modify either the SWPPP or any BMPs based on the monitoring data. The first report is due on ***June 10, 2009.***

2. General Storm Water Management Requirements

a. Sample Type

For all stormwater monitoring required in Part I.A or other applicable sections of this permit, a minimum of one grab sample shall be taken. Unless otherwise specified, all such samples shall be collected from the discharge resulting from a storm event that is greater than 0.1 inch in magnitude and that occurs at least 72 hours from the previously measurable (greater than 0.1 inch rainfall) storm event. The required 72-hour storm event interval is waived where the preceding measurable storm event did not result in a measurable discharge from the facility. The required 72-hour storm event interval may also be waived where the permittee documents that less than a 72-hour interval is representative for local storm events during the season when sampling is being conducted. The grab sample shall be taken during the first 30 minutes of the discharge. If the collection of a grab sample during the first 30 minutes is impracticable, a grab sample can be taken during the first hour of the discharge, and the permittee shall submit with the monitoring report a description of why a grab sample during the first 30 minutes was impracticable. If stormwater discharges associated with industrial activity commingle with process or non-process water, then where practicable permittees must attempt to sample the stormwater discharge before it mixes with the non-stormwater discharge.

b. Sampling Methodology for Specific Outfalls

Due to the nature of the effluent discharged at these outfalls (contaminated storm water associated with a regulated industrial activity), the following shall be required when obtaining stormwater samples required by Part I.A. of this permit:

(1) At the time of sampling, the permittee shall ensure that the effects of tidal influences are kept to an absolute minimum. This can be achieved by:

(a) Sampling at low tide and/or

(b) Sampling at a representative point which has been demonstrated to be free of tidal influences

(2) In the event that sampling of an outfall is not possible due to the absence of flow during a particular testing period, the permittee shall provide written notification to DEQ with the DMR for the month following the period in which samples were to be collected.

3. Recording of Results

For each measurement or sample taken pursuant to the storm event monitoring requirements of this permit, the permittee shall record and report with the Discharge Monitoring Reports (DMRs) the following information:

a. The date and duration (in hours) of the storm event(s) sampled;

b. The rainfall measurements or estimates (in inches) of the storm event which generated the sampled discharge; and

c. The duration between the storm event sampled and the end of the previous measurable (greater than 0.1 inch rainfall) storm event.

In addition, the permittee shall maintain a monthly log documenting the amount of rainfall received at this facility on a daily basis. A summarization of this information shall also be submitted with the DMRs.

4. Sampling Waiver

When a permittee is unable to collect stormwater samples required in Part I.A or other applicable sections of this permit within a specified sampling period due to adverse climatic conditions, the permittee shall collect a substitute sample from a separate qualifying event in the next period and submit these data along with the data for the routine sample in that period. Adverse weather conditions that may prohibit the collection of samples include weather conditions that create dangerous conditions for personnel (such as local flooding, high winds, hurricane, tornadoes, electrical storms, etc.) or otherwise make the collection of a sample impracticable (drought, extended frozen conditions, etc.).

5. Representative Discharges

When a facility has two or more outfalls that, based on a consideration of industrial activity, significant materials, and management practices and activities within the area drained by the outfall, the permittee reasonably believes substantially identical effluents are discharged, the permittee may test the effluent of one of such outfalls and report that the quantitative data also apply to the substantially identical outfall(s) provided that: (1) the representative outfall determination has been approved by DEQ prior to data submittal; and, (2) the permittee includes in the stormwater pollution prevention plan a description of the location of the outfalls and explains in detail why the outfalls are expected to discharge substantially identical effluents.

6. Quarterly Visual Examination of Stormwater Quality

a. The permittee must perform and document a quarterly visual examination of a storm water discharge associated with industrial activity from each outfall, except discharges exempted below. The examination(s) must be made at least once in each of the following three-month periods: January through March, April through June, July through September, and October through December. The visual examination must be made during daylight hours (e.g., normal working hours). If no storm event resulted in runoff from the facility during a monitoring quarter, the permittee is excused from visual monitoring for that quarter provided that documentation is included with the monitoring records indicating that no runoff occurred. The documentation must be signed and certified in accordance with Part II K of this permit.

b. Visual examinations must be made of samples collected within the first 30 minutes (or as soon thereafter as practical, but not to exceed one hour) of when the runoff or snowmelt begins discharging from the facility. The examination must document observations of color, odor, clarity, floating solids, settled solids, suspended solids, foam, oil sheen, and other obvious indicators of storm water pollution. The examination must be conducted in a well-lit area. No analytical tests are required to be performed on the samples. All samples (except snowmelt samples) must be collected from the discharge resulting from a storm event that is greater than 0.1 inches in magnitude and that occurs at least 72 hours from the previously measurable (greater than 0.1 inch rainfall) storm event. The 72-hour storm interval is waived when the preceding measurable storm did not yield a measurable discharge, or if the permittee is able to document that less than a 72-hour interval is representative for local storm events during the sampling period. Where practicable, the same individual should carry out the collection and examination of discharges for the entire permit term. If no qualifying storm event resulted in runoff from the facility during a monitoring quarter, the permittee is excused from visual monitoring for that quarter provided that documentation is included with the monitoring records indicating that no qualifying storm event occurred that resulted in storm water runoff during that quarter. The documentation must be signed and certified in accordance with Part II K.

c. The visual examination reports must be maintained on-site with the Storm Water Pollution Prevention Plan (SWPPP). The report must include the outfall location, the examination date and time, examination personnel, the nature of the discharge (i.e., runoff or snow melt), visual quality of the storm water discharge (including observations of color, odor, clarity, floating solids, settled solids, suspended solids, foam, oil sheen, and other obvious indicators of storm water pollution), and probable sources of any observed storm water contamination.

d. If the facility has two or more outfalls that, based on a consideration of industrial activity, significant materials, and management practices and activities within the area drained by the outfall, the permittee reasonably believes discharge

substantially identical effluents, the permittee may collect a sample of effluent of one of such outfalls and report that the examination data also applies to the substantially identical outfall(s) provided that the permittee includes in the storm water pollution prevention plan a description of the location of the outfalls and explains in detail why the outfalls are expected to discharge substantially identical effluents. In addition, for each outfall that the permittee believes is representative, an estimate of the size of the drainage area (in square feet) and an estimate of the runoff coefficient of the drainage area (i.e., low (under 40 percent), medium (40 to 65 percent), or high (above 65 percent)) shall be provided in the plan.

e. When the permittee is unable to conduct the visual examination due to adverse climatic conditions, the permittee must document the reason for not performing the visual examination and retain this documentation onsite with the records of the visual examinations. Adverse weather conditions that may prohibit the collection of samples include weather conditions that create dangerous conditions for personnel (such as local flooding, high winds, hurricane, tornadoes, electrical storms, etc.) or otherwise make the collection of a sample impracticable (drought, extended frozen conditions, etc.).

7. Allowable Non-stormwater Discharges

a. The following non-stormwater discharges are authorized by this permit provided the non-stormwater component of the discharge is in compliance with 9.b, below.

(1) Discharges from fire fighting activities;
(2) Fire hydrant flushings;
(3) Potable water including water line flushings;
(4) Uncontaminated air conditioning or compressor condensate;
(5) Irrigation drainage;
(6) Landscape watering provided all pesticides, herbicides, and fertilizer have been applied in accordance with manufacturer's instructions;
(7) Pavement wash waters where no detergents are used and no spills or leaks of toxic or hazardous materials have occurred (unless all spilled material has been removed);
(8) Routine external building wash down which does not use detergents;
(9) Uncontaminated ground water or spring water;
(10) Foundation or footing drains where flows are not contaminated with process materials such as solvents;
(11) Incidental windblown mist from cooling towers that collects on rooftops or adjacent portions of the facility, but NOT intentional discharges from the cooling tower (e.g., "piped" cooling tower blowdown or drains).

b. Except for flows from fire fighting activities, the Storm Water Pollution Prevention Plan must include:

(1) Identification of each allowable non-stormwater source;

(2) The location where the non-storm water is likely to be discharged; and
(3) Descriptions of any BMPs that are being used for each source.

c. If mist blown from cooling towers is included as one of the allowable non-storm water discharges from the facility, the permittee must specifically evaluate the potential for the discharges to be contaminated by chemicals used in the cooling tower, and must select and implement BMPs to control such discharges so that the levels of cooling tower chemicals in the discharges would not cause or contribute to a violation of an applicable water quality standard.

8. Releases of Hazardous Substances or Oil in Excess of Reportable Quantities

The discharge of hazardous substances or oil in the storm water discharge(s) from the facility shall be prevented or minimized in accordance with the storm water pollution prevention plan for the facility. This permit does not authorize the discharge of hazardous substances or oil resulting from an on-site spill. This permit does not relieve the permittee of the reporting requirements of 40 CFR 110, 40 CFR 117 and 40 CFR 302 or § 62.1-44.34:19 of the Code of Virginia. Where a release containing a hazardous substance or oil in an amount equal to or in excess of a reportable quantity established under either 40 CFR 110, 40 CFR 117 or 40 CFR 302 occurs during a 24-hour period:

a. The permittee is required to notify the Department in accordance with the requirements of Part II G as soon as he or she has knowledge of the discharge;

b. Where a release enters a municipal separate storm sewer system (MS4), the permittee shall also notify the owner or the MS4; and

c. The storm water pollution prevention plan required by this permit must be reviewed to identify measures to prevent the reoccurrence of such releases and to respond to such releases, and the plan must be modified where appropriate.

9. Additional Requirements for Salt Storage.

Storage piles of salt used for deicing or other commercial or industrial purposes must be enclosed or covered to prevent exposure to precipitation (except for exposure resulting from adding or removing materials from the pile). Piles do not need to be enclosed or covered where storm water from the pile is not discharged to state waters or the discharges from the piles are authorized under another permit.

F. STORM WATER POLLUTION PREVENTION PLAN MANAGEMENT REQUIREMENTS

Refer to Part I.G. for sector - specific storm water requirements.

A storm water pollution prevention plan (SWPPP) for the facility was required to be developed and implemented under the previous permit. The existing storm water pollution prevention plan shall be reviewed and modified, as appropriate, to conform to the requirements of this section.

The plan shall identify potential sources of pollution that may reasonably be expected to affect the quality of storm water discharges associated with industrial activity from the facility. In addition, the plan shall describe and ensure the implementation of practices that are to be used to reduce the pollutants in storm water discharges associated with industrial activity at the facility and to assure compliance with the terms and conditions of this permit. Permittees must implement the provisions of the storm water pollution prevention plan as a condition of this permit.

The storm water pollution prevention plan requirements of this permit may be fulfilled by incorporating by reference other plans or documents such as an erosion and sediment control (ESC) plan, a spill prevention and countermeasure plan (SPCC) developed for the facility under Section 311 of the Clean Water Act, or best management practices (BMP) programs otherwise required for the facility, provided that the incorporated plan meets or exceeds the plan requirements of Part F.2. (Contents of the Plan). If an ESC plan is being incorporated by reference, it shall have been approved by the locality in which the activity is to occur or by another appropriate plan approving authority under the Virginia Erosion and Sediment Control Regulation, 4 VAC 50-30. All plans incorporated by reference into the storm water pollution prevention plan become enforceable under this permit.

1. Deadlines for Plan Preparation and Compliance

   a. The permittee shall prepare and implement the plan as expeditiously as practicable, but not later than 270 days from the effective date of the permit.

   b. Measures That Require Construction. In cases where construction is necessary to implement measures required by the plan, the plan shall contain a schedule that provides compliance with the plan as expeditiously as practicable, but no later than 3 years after the effective date of this permit. Where a construction compliance schedule is included in the plan, the schedule shall include appropriate nonstructural and/or temporary controls to be implemented in the affected portion(s) of the facility prior to completion of the permanent control measure.

2. Contents of the Plan.

The contents of the SWPPP shall comply with the requirements listed below and those in Part G. The plan shall include, at a minimum, the following items:

   a. Pollution Prevention Team. The plan shall identify the staff individuals by name or title that comprise the facility's storm water pollution prevention team. The pollution prevention team is responsible for assisting the facility or plant manager in developing, implementing, maintaining, and revising the facility's SWPPP. Responsibilities of each staff individual on the team must be listed.

   b. Site Description. The plan shall include the following:

(1) Activities at the Facility. A description of the nature of the industrial activities at the facility.

(2) General Location Map. A general location map (e.g., USGS quadrangle or other map) with enough detail to identify the location of the facility and the receiving waters within one mile of the facility.

(3) Site Map. A site map identifying the following:

(a) Directions of storm water flow (e.g., use arrows to show which ways storm water will flow);
(b) Locations of all existing structural BMPs;
(c) Locations of all surface water bodies;
(d) Locations of potential pollutant sources identified under Part I.F.2.c. and where significant materials are exposed to precipitation;
(e) Locations where major spills or leaks identified under Part I.F.2.d. have occurred;
(f) Locations of the following activities where such activities are exposed to precipitation: fueling stations; vehicle and equipment maintenance and/or cleaning areas; loading/unloading areas; locations used for the treatment, storage or disposal of wastes; and liquid storage tanks;
(g) Locations of storm water outfalls and an approximate outline of the area draining to each outfall;
(h) Location and description of non-storm water discharges;
(i) Locations of the following activities where such activities are exposed to precipitation: processing and storage areas; access roads, rail cars and tracks; the location of transfer of substance in bulk; and machinery; and
(j) Location and source of runoff from adjacent property containing significant quantities of pollutants of concern to the facility (the permittee may include an evaluation of how the quality of the storm water running onto the facility impacts the facility's storm water discharges).

(4) Receiving Waters and Wetlands. The name of the nearest receiving water(s), including intermittent streams, dry sloughs, arroyos and the areal extent and description of wetland sites that may receive discharges from the facility.

c. Summary of Potential Pollutant Sources. The plan shall identify each separate area at the facility where industrial materials or activities are exposed to storm water. Industrial materials or activities include, but are not limited to: material handling equipment or activities, industrial machinery, raw materials, intermediate products, byproducts, final products, or waste products. Material handling activities include the storage, loading and unloading, transportation, or conveyance of any

raw material, intermediate product, final product or waste product. For each separate area identified, the description must include:

(1) Activities in Area. A list of the activities (e.g., material storage, equipment fueling and cleaning, cutting steel beams); and

(2) Pollutants. A list of the associated pollutant(s) or pollutant parameter(s) (e.g., crankcase oil, iron, biochemical oxygen demand, pH, etc.) for each activity. The pollutant list must include all significant materials that have been handled, treated, stored or disposed in a manner to allow exposure to storm water between the time of three years before being covered under this permit and the present.

d. Spills and Leaks. The SWPPP must clearly identify areas where potential spills and leaks that can contribute pollutants to storm water discharges can occur and their accompanying drainage points. For areas that are exposed to precipitation or that otherwise drain to a storm water conveyance at the facility to be covered under this permit, the plan must include a list of significant spills and leaks of toxic or hazardous pollutants that occurred during the three-year period prior to the date of the submission of an EPA form 2F. The list must be updated if significant spills or leaks occur in exposed areas of the facility during the term of the permit. Significant spills and leaks include releases of oil or hazardous substances in excess of reportable quantities, and may also include releases of oil or hazardous substances that are not in excess of reporting requirements.

e. Sampling Data. The plan must include a summary of existing discharge sampling data taken at the facility, and must also include a summary of sampling data collected during the term of this permit.

f. Storm Water Controls. The SWPPP shall include a description of storm water management controls appropriate for the facility. The description of controls shall address the following minimum components:

(1) Description of Existing and Planned BMPs. The plan shall describe the type and location of existing nonstructural and structural best management practices (BMPs) selected for each of the areas where industrial materials or activities are exposed to storm water. All the areas identified in Part I.F.2. c. (Summary of Potential Pollutant Sources) should have a BMP(s) identified for the area's discharges. For areas where BMPs are not currently in place, include a description of appropriate BMPs that will be used to control pollutants in storm water discharges. Selection of BMPs should take into consideration:

(a) The quantity and nature of the pollutants, and their potential to impact the water quality of receiving waters;

(b) Opportunities to combine the dual purposes of water quality protection and local flood control benefits, including physical impacts of high flows on streams (e.g., bank erosion, impairment of aquatic habitat, etc.);

(c) Opportunities to offset the impact of impervious areas of the facility on ground water recharge and base flows in local streams, taking into account the potential for ground water contamination.

(2) BMP Types to be Considered. The permittee must consider the following types of structural, nonstructural and other BMPs for implementation at the facility. The SWPPP shall describe how each BMP is, or will be, implemented. If this requirement was fulfilled with the area-specific BMPs identified under Part I.F.2.f(1), then the previous description is sufficient. However, many of the following BMPs may be more generalized or non-site-specific and therefore not previously considered. If the permittee determines that any of these BMPs are not appropriate for the facility, an explanation of why they are not appropriate shall be included in the plan. The BMP examples listed below are not intended to be an exclusive list of BMPs that may be used. The permittee is encouraged to keep abreast of new BMPs or new applications of existing BMPs to find the most cost effective means of permit compliance for the facility. If BMPs are being used or planned at the facility that are not listed here (e.g., replacing a chemical with a less toxic alternative, adopting a new or innovative BMP, etc.), descriptions of them shall be included in this section of the SWPPP.

(a) Nonstructural BMPs.

(i) Good Housekeeping. The permittee must keep all exposed areas of the facility in a clean, orderly manner where such exposed areas could contribute pollutants to storm water discharges. Common problem areas include around trash containers, storage areas and loading docks. Measures must also include a schedule for regular pickup and disposal of garbage and waste materials; routine inspections for leaks and conditions of drums, tanks and containers.

(ii) Minimizing Exposure. Where practicable, industrial materials and activities should be protected by a storm-resistant shelter to prevent exposure to rain, snow, snowmelt, or runoff. Note: Eliminating exposure at all industrial areas may make the facility eligible for the "Conditional Exclusion for No Exposure" provision of 9 VAC

25-31-120 F, thereby eliminating the need to have a permit.

(iii) Preventive Maintenance. The permittee must have a preventive maintenance program that includes timely inspection and maintenance of storm water management devices (e.g., cleaning oil/water separators, catch basins), as well as inspection, testing, maintenance and repairing of facility equipment and systems to avoid breakdowns or failures that could result in discharges of pollutants to surface waters.

(iv) Spill Prevention and Response Procedures. The plan must describe the procedures that will be followed for cleaning up spills or leaks. The procedures and necessary spill response equipment must be made available to those employees who may cause or detect a spill or leak. Where appropriate, the plan must include an explanation of existing or planned material handling procedures, storage requirements, secondary containment, and equipment (e.g., diversion valves), that are intended to minimize spills or leaks at the facility. Measures for cleaning up hazardous material spills or leaks must be consistent with applicable RCRA regulations at 40 CFR Part 264 and 40 CFR Part 265.

(v) Routine Facility Inspections. Facility personnel who are familiar with the industrial activity, the BMPs and the storm water pollution prevention plan shall be identified to inspect all areas of the facility where industrial materials or activities are exposed to storm water. These inspections are in addition to, or as part of, the comprehensive site evaluation required under Part I.F.4, and must include an evaluation of the existing storm water BMPs. The inspection frequency shall be specified in the plan based upon a consideration of the level of industrial activity at the facility, but shall be a minimum of quarterly unless more frequent intervals are specified elsewhere in the permit. Any deficiencies in the implementation of the SWPPP that are found must be corrected as soon as practicable, but not later than within 14 days of the inspection, unless permission for a later date is granted in writing by the director. The results of the inspections must be documented in the SWPPP, along with any corrective actions that

were taken in response to any deficiencies or opportunities for improvement that were identified.

(vi) Employee Training. The SWPPP must describe the storm water employee training program for the facility. The description should include the topics to be covered, such as spill response, good housekeeping, and material management practices, and must identify periodic dates for such training (e.g., every six months during the months of July and January). Employee training must be provided for all employees who work in areas where industrial materials or activities are exposed to storm water, and for employees who are responsible for implementing activities identified in the SWPPP (e.g., inspectors, maintenance people). The training should inform employees of the components and goals of the SWPPP.

(b) Structural BMPs.

(i) Sediment and Erosion Control. The plan shall identify areas at the facility that, due to topography, land disturbance (e.g., construction), or other factors, have a potential for significant soil erosion. The plan must identify structural, vegetative, and/or stabilization BMPs that will be implemented to limit erosion.

(ii) Management of Runoff. The plan shall describe the traditional storm water management practices (permanent structural BMPs other than those that control the generation or source(s) of pollutants) that currently exist or that are planned for the facility. These types of BMPs are typically used to divert, infiltrate, reuse, or otherwise reduce pollutants in storm water discharges from the site. The plan shall provide that all measures that the permittee determines to be reasonable and appropriate, or are required by a state or local authority shall be implemented and maintained. Factors for the permittee to consider when selecting appropriate BMPs should include:

(A) The industrial materials and activities that are exposed to storm water, and the associated pollutant potential of those materials and activities; and

(B) The beneficial and potential detrimental effects on surface water quality, ground water quality,

receiving water base flow (dry weather stream flow), and physical integrity of receiving waters.

Structural measures should be placed on upland soils, avoiding wetlands and floodplains, if possible. Structural BMPs may require a separate permit under § 404 of the CWA before installation begins.

(iii) Example BMPs. BMPs that could be used include but are not limited to: storm water detention structures (including wet ponds); storm water retention structures; flow attenuation by use of open vegetated swales and natural depressions; infiltration of runoff on-site; and sequential systems (which combine several practices).

(iv) Other Controls. Off-site vehicle tracking of raw, final, or waste materials or sediments, and the generation of dust must be minimized. Tracking or blowing of raw, final, or waste materials from areas of no exposure to exposed areas must be minimized. Velocity dissipation devices (or equivalent measures) must be placed at discharge locations and along the length of any outfall channel if they are necessary to provide a non-erosive flow velocity from the structure to a water course.

3. Maintenance.

All BMPs identified in the SWPPP must be maintained in effective operating condition. If site inspections required by I.F.4 identify BMPs that are not operating effectively, maintenance must be performed before the next anticipated storm event, or as necessary to maintain the continued effectiveness of storm water controls. If maintenance prior to the next anticipated storm event is impracticable, maintenance must be scheduled and accomplished as soon as practicable. In the case of nonstructural BMPs, the effectiveness of the BMP must be maintained by appropriate means (e.g., spill response supplies available and personnel trained, etc.).

4. Comprehensive Site Compliance Evaluation.

The permittee shall conduct facility inspections (site compliance evaluations) at least once a year. The inspections must be done by qualified personnel who may be either facility employees or outside constituents hired by the facility. The inspectors must be familiar with the industrial activity, the BMPs and the SWPPP, and must possess the skills to assess conditions at the facility that could impact storm water quality, and to assess the effectiveness of the BMPs that have been chosen to control the quality of the storm water discharges. If more frequent inspections are conducted, the SWPPP must specify the frequency of inspections.

a. Scope of the Compliance Evaluation. Inspections must include all areas where industrial materials or activities are exposed to storm water, as identified in I.F.2.c, and areas where spills and leaks have occurred within the past three years. Inspectors should look for:

(1) Industrial materials, residue or trash on the ground that could contaminate or be washed away in storm water;
(2) Leaks or spills from industrial equipment, drums, barrels, tanks or similar containers;
(3) Off-site tracking of industrial materials or sediment where vehicles enter or exit the site;
(4) Tracking or blowing of raw, final, or waste materials from areas of no exposure to exposed areas; and
(5) Evidence of, or the potential for, pollutants entering the drainage system.

Results of both visual and any analytical monitoring done during the year must be taken into consideration during the evaluation. Storm water BMPs identified in the SWPPP must be observed to ensure that they are operating correctly. Where discharge locations or points are accessible, they must be inspected to see whether BMPs are effective in preventing significant impacts to receiving waters. Where discharge locations are inaccessible, nearby downstream locations must be inspected if possible.

b. Based on the results of the inspection, the SWPPP shall be modified as necessary (e.g., show additional controls on the map required by Part I.F.2 b (3); revise the description of controls required by Part I.F.2.f. to include additional or modified BMPs designed to correct problems identified). Revisions to the SWPPP shall be completed within two weeks following the inspection, unless permission for a later date is granted in writing by the director. If existing BMPs need to be modified or if additional BMPs are necessary, implementation must be completed before the next anticipated storm event, if practicable, but not more than 12 weeks after completion of the comprehensive site evaluation, unless permission for a later date is granted in writing by the director;

c. Compliance Evaluation Report. A report summarizing the scope of the inspection, name(s) of personnel making the inspection, the date(s) of the inspection, and major observations relating to the implementation of the SWPPP, and actions taken in accordance with Part I.F.4.b. shall be made and retained as part of the SWPPP for at least three years from the date of the inspection. Major observations should include: the location(s) of discharges of pollutants from the site; location(s) of BMPs that need to be maintained; location(s) of BMPs that failed to operate as designed or proved inadequate for a particular location; and location(s) where additional BMPs are needed that did not exist at the time of inspection. The report shall identify any incidents of noncompliance. Where a report does not identify any incidents of noncompliance, the report shall contain a certification that the facility is in compliance with the SWPPP and this permit. The report shall be signed in accordance with Part II K; and

d. Where compliance evaluation schedules overlap with routine inspections required under Part I.F.2. f. (2)(a)(v), the annual compliance evaluation may be used as one of the routine inspections.

5. Signature and Plan Review.

a. Signature/Location. The plan shall be signed in accordance with Part II K, and retained on-site at the facility covered by this permit in accordance with Part II B 2.

b. Availability. The permittee shall make the SWPPP, annual site compliance inspection report, and other information available to the department upon request.

c. Required Modifications. The director may notify the permittee at any time that the plan does not meet one or more of the minimum requirements of this permit. The notification shall identify those provisions of the permit that are not being met, as well as the required modifications. The permittee shall make the required changes to the SWPPP within 60 days of receipt of such notification, unless permission for a later date is granted in writing by the director, and shall submit a written certification to the director that the requested changes have been made.

6. Maintaining an Updated SWPPP.
The permittee shall amend the SWPPP whenever:

a. There is a change in design, construction, operation, or maintenance at the facility that has a significant effect on the discharge, or the potential for the discharge, of pollutants from the facility;

b. During inspections, monitoring, or investigations by facility personnel or by local, state, or federal officials it is determined that the SWPPP is ineffective in eliminating or significantly minimizing pollutants from sources identified under Part F 2 c, or is otherwise not achieving the general objectives of controlling pollutants in discharges from the facility.

7. Special Pollution Prevention Plan Requirements.

a. Additional Requirements for Storm Water Discharges Associated With Industrial Activity That Discharge Into or Through Municipal Separate Storm Sewer Systems.

(1) In addition to the applicable requirements of this permit, facilities covered by this permit must comply with applicable requirements in municipal storm water management programs developed under NPDES permits issued for the discharge of the municipal separate storm sewer system that receives the facility's discharge, provided the permittee has been notified of such conditions.

(2) Permittees that discharge storm water associated with industrial activity through a municipal separate storm sewer system shall make plans available to the municipal operator of the system upon request.

b. Additional Requirements for Storm Water Discharges Associated With Industrial Activity From Facilities Subject to EPCRA § 313 Reporting Requirements.

Any potential pollutant sources for which the facility has reporting requirements under EPCRA § 313 must be identified in the SWPPP in Part F 2 c (Summary of Potential Pollutant Sources). Note: this additional requirement is only applicable if the facility is subject to reporting requirements under EPCRA § 313.

PART G. SECTOR - SPECIFIC STORM WATER POLLUTION PREVENTION PLAN REQUIREMENTS

The following discharges are not "authorized" non-storm water discharges under this section, and if present, may require additional controls and/or limitations: bilge and ballast water, pressure wash water, sanitary wastes, and cooling water originating from vessels.

In addition to the requirements of Part F, the SWPP shall include, at a minimum, the following items:

1. Site Description.

a. Site Map. The site map shall identify the locations where any of the following activities may be exposed to precipitation: fueling, engine maintenance and repair, vessel maintenance and repair, pressure washing, painting, sanding, blasting, welding, metal fabrication, loading/unloading areas, locations used for the treatment, storage or disposal of wastes; liquid storage areas (e.g., paint, solvents, resins), and material storage areas (e.g., blasting media, aluminum, steel, scrap iron).

b. Potential Pollutant Sources. The plan shall include a description of the following additional sources and activities that have potential pollutants associated with them (if applicable): outdoor manufacturing/processing activities (e.g., welding, metal fabricating); and significant dust/particulate generating processes (e.g., abrasive blasting, sanding, painting).

2. Storm Water Controls

a. Good Housekeeping

The following areas must be specifically addressed, when applicable at a facility.

(1) Pressure Washing Area. When pressure washing is used to remove marine growth from vessels, the discharge water must be permitted as a process wastewater by separate requirements in this VPDES permit. The

SWPP must describe: the measures to collect or contain the discharge from the pressure washing area; the method for the removal of the visible solids; the methods of disposal of the collected solids; and where the discharge will be released.

(2) Blasting and Painting Areas. The permittee must describe and implement measures to prevent spent abrasives, paint chips, and overspray from discharging into the receiving waterbody or the storm sewer system. To prevent the discharge of contaminants, the permittee shall consider containing all blasting/painting activities, or using other methods, such as hanging plastic barriers or tarpaulins during blasting or painting operations to contain debris. Where necessary, the plans should include a schedule for regularly cleaning storm systems to remove deposits of abrasive blasting debris and paint chips. The plan should include any standard operating practices with regard to blasting and painting activities, such as the prohibition of uncontained blasting/painting over open water or the prohibition of blasting/painting during windy conditions which can render containment ineffective.

(3) Material Storage Areas. All containerized materials (fuels, paints, solvents, waste oil, antifreeze, batteries) must be plainly labeled and stored in a protected, secure location away from drains. The permittee must describe and implement measures to prevent or minimize contamination of precipitation/surface runoff from the storage areas. The plan must specify which materials are stored indoors and consider containment or enclosure for materials that are stored outdoors. The permittee must consider implementing an inventory control plan to limit the presence of potentially hazardous materials on-site. Where abrasive blasting is performed, the plan must specifically include a discussion on the storage and disposal of spent abrasives generated at the facility.

(4) Engine Maintenance and Repair Areas. The permittee must describe and implement measures that prevent or minimize contamination of precipitation/surface runoff from all areas used for engine maintenance and repair. The permittee shall consider the following measures (or their equivalent): performing all maintenance activities indoors; maintaining an organized inventory of materials used in the shop; draining all parts of fluids prior to disposal; prohibiting the practice of hosing down the shop floor; using dry cleanup methods; and treating and/or recycling storm water runoff collected from the maintenance area.

(5) Material Handling Areas. The plan must describe measures to prevent or minimize contamination of precipitation/surface runoff from material handling operations and areas (e.g., fueling, paint and solvent mixing, disposal of process wastewater streams from vessels). The permittee shall consider the following methods (or their equivalents): covering fueling areas; using spill/ overflow protection; mixing paints and solvents in a designated area (preferably indoors or under a shed); and minimizing run-on of storm water to material handling areas.

(6) Drydock Activities. The plan must address the routine maintenance and cleaning of the dry-dock to minimize the potential for pollutants in the storm water runoff. The plan must describe the procedures for cleaning the accessible areas of the dry-dock prior to flooding and final cleanup after the vessel is removed and the dock is raised. Cleanup procedures for oil, grease, or fuel spills occurring on the drydock must also be included within the plan. The permittee shall consider the following measures (or their equivalents): sweeping rather than hosing off debris and spent blasting material from the accessible areas of the dry-dock prior to flooding and having absorbent materials and oil containment booms readily available to contain and cleanup any spills.

(7) General Yard Area. The plan must include a schedule for routine yard maintenance and cleanup. Scrap metal, wood, plastic, miscellaneous trash, paper, glass, industrial scrap, insulation, welding rods, packaging, etc., must be routinely removed from the general yard area.

b. Preventative Maintenance. As part of the facility's preventative maintenance program, storm water management devices shall be inspected and maintained in a timely manner (e.g., oil/water separators and sediment traps cleaned to ensure that spent abrasives, paint chips and solids are intercepted and retained prior to entering the storm drainage system). Facility equipment and systems shall also be inspected and tested to uncover conditions that could cause breakdowns or failures resulting in discharges of pollutants to surface waters.

c. Routine Facility Inspections. The following areas shall be included in all inspections: pressure washing area; blasting, sanding, and painting areas; material storage areas; engine maintenance and repair areas; material handling areas; drydock area; and general yard area.

d. Employee Training. Training must address, at a minimum, the following activities (as applicable): used oil management; spent solvent management; proper disposal of spent abrasives; proper disposal of vessel wastewaters, spill prevention and control; fueling procedures; general good housekeeping practices; painting and blasting procedures; and used battery management.

e. Comprehensive Site Compliance Evaluation. The permittee shall conduct regularly scheduled evaluations at least once a year and address those areas contributing to a storm water discharge associated with industrial activity (e.g. pressure washing area, blasting/sanding areas, painting areas, material storage areas, engine maintenance/repair areas, material handling areas, and dry-dock area). These sources shall be inspected for evidence of, or the potential for, pollutants entering the drainage system.

ATTACHMENT A
DEPARTMENT OF ENVIRONMENTAL QUALITY
BMP Compliance Report

Facility Name: Ampro Shipyard VA0089303
Address: Weems, Va.

Report Period: From __/__/__ To __/__/

OUTFALL	COMPLIANCE / NONCOMPLIANCE * (check as appropriate)	
___001/901___	_____	_____
___002_____	_____	_____
___003_____	_____	_____
___004_____	_____	_____
___005_____	_____	_____
___006_____	_____	_____
___007_____	_____	_____

*Comments on Noncompliance

_____
Name of Principal Exec. Officer or Authorized Agent / Title

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system or those persons directly responsible for gathering the information, the information submitted is to the best of my knowledge and belief true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations. See 18 U.S.C. paragraph 1001 and 33 U.S.C. paragraph 1319. (Penalties under these statutes may include fines up to $10,000 and or maximum imprisonment of between 6 months and 5 years).

_____
Signature of Principal Officer or Authorized Agent / Date

007 is being considered representative of 008-010.

Ampro Shipyard
VA0089303

ATTACHMENT B

WET TESTING COVER SHEET—to accompany WET Testing required in VA0089303 Part I.D.

Vessel Name _____
Vessel Size_____
Vessel Type_____
Type(s) of service(s) being provided (complete coating removal, existing surface profiling, means of water blasting performed and pressures used, etc.).
_____
_____
_____

The type and expected composition of the hull coating being removed or prepared for resurfacing._____
_____
_____

The date and time that the samples were collected:
Grab Sample from hour 1_____
Grab Sample from hour 2_____
Grab Sample from hour 3_____
Grab Sample from hour 4_____
Grab Sample from hour 5_____
Grab Sample from hour 6_____
Grab Sample from hour 7_____
Grab Sample from hour 8_____
(Attach another sheet of paper if additional space is required).

Time process wastewater generating activities began:_____
Detailed description of the method(s) by which the samples were collected (written, photographic,etc.)_____
_____
_____
_____
_____
_____
_____.

Estimate of the total volume of process wastewater generated_____
Total duration of the wastewater generating event_____
Description of the best management practices imposed to reduce the potential for pollutants to enter the receiving stream from these types of process activities. (Attach another sheet of paper if additional space is required)
._____
_____

CONDITIONS APPLICABLE TO ALL VPDES PERMITS

A. Monitoring

1. Samples and measurements taken as required by this permit shall be representative of the monitored activity.

2. Monitoring shall be conducted according to procedures approved under Title 40 Code of Federal Regulations Part 136 or alternative methods approved by the U.S. Environmental Protection Agency, unless other procedures have been specified in this permit.

3. The permittee shall periodically calibrate and perform maintenance procedures on all monitoring and analytical instrumentation at intervals that will insure accuracy of measurements.

B. Records

1. Records of monitoring information shall include:

   a. The date, exact place, and time of sampling or measurements;
   b. The individual(s) who performed the sampling or measurements;
   c. The date(s) and time(s) analyses were performed;
   d. The individual(s) who performed the analyses;
   e. The analytical techniques or methods used; and
   f. The results of such analyses.

2. Except for records of monitoring information required by this permit related to the permittee's sewage sludge use and disposal activities, which shall be retained for a period of at least five years, the permittee shall retain records of all monitoring information, including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation, copies of all reports required by this permit, and records of all data used to complete the application for this permit, for a period of at least 3 years from the date of the sample, measurement, report, or application. This period of retention shall be extended automatically during the course of any unresolved litigation regarding the regulated activity or regarding control standards applicable to the permittee, or as requested by the Board.

C. Reporting Monitoring Results

1. The permittee shall submit the results of the monitoring required by this permit not later than the 10th day of the month after monitoring takes place, unless another reporting schedule is specified elsewhere in this permit. Monitoring results shall be submitted to:

   Piedmont Regional Office
   4949-A Cox Road
   Glen Allen, Virginia 23060-6296

C. Reporting Monitoring Results (continued)

2. Monitoring results shall be reported on a Discharge Monitoring Report (DMR) or on forms provided, approved, or specified by the Department.

3. If the permittee monitors any pollutant specifically addressed by this permit more frequently than required by this permit using test procedures approved under Title 40 of the Code of Federal Regulations Part 136 or using other test procedures approved by the U.S. Environmental Protection Agency or using procedures specified in this permit, the results of this monitoring shall be included in the calculation and reporting of the data submitted in the DMR or reporting form specified by the Department.

4. Calculations for all limitations which require averaging of measurements shall utilize an arithmetic mean unless otherwise specified in this permit.

D. Duty to Provide Information

The permittee shall furnish to the Department, within a reasonable time, any information which the Board may request to determine whether cause exists for modifying, revoking and reissuing, or terminating this permit or to determine compliance with this permit. The Board may require the permittee to furnish, upon request, such plans, specifications, and other pertinent information as may be necessary to determine the effect of the wastes from his discharge on the quality of state waters, or such other information as may be necessary to accomplish the purposes of the State Water Control Law. The permittee shall also furnish to the Department upon request, copies of records required to be kept by this permit.

E. Compliance Schedule Reports

Reports of compliance or noncompliance with, or any progress reports on, interim and final requirements contained in any compliance schedule of this permit shall be submitted no later than 14 days following each schedule date.

F. Unauthorized Discharges

Except in compliance with this permit, or another permit issued by the Board, it shall be unlawful for any person to:

1. Discharge into state waters sewage, industrial wastes, other wastes, or any noxious or deleterious substances; or

2. Otherwise alter the physical, chemical, or biological properties of such state waters and make them detrimental to the public health, or to animal or aquatic life, or to the use of such waters for domestic or industrial consumption, or for recreation, or for other uses.

G. Reports of Unauthorized Discharges

Any permittee who discharges or causes or allows a discharge of sewage, industrial waste, other wastes or any noxious or deleterious substance into or upon state waters in violation of Part II F; or who discharges or causes or allows a discharge that may reasonably be expected to enter state waters in violation of Part II.F, shall notify the Department of the discharge

G. Reports of Unauthorized Discharges, cont.

immediately upon discovery of the discharge, but in no case later than 24 hours after said discovery. A written report of the unauthorized discharge shall be submitted to the Department within five days of discovery of the discharge. The written report shall contain:

1. A description of the nature and location of the discharge;
2. The cause of the discharge;
3. The date on which the discharge occurred;
4. The length of time that the discharge continued;
5. The volume of the discharge;
6. If the discharge is continuing, how long it is expected to continue;
7. If the discharge is continuing, what the expected total volume of the discharge will be; and
8. Any steps planned or taken to reduce, eliminate, and prevent a recurrence of the present discharge or any future discharges not authorized by this permit.

Discharges reportable to the Department under the immediate reporting requirements of other regulations are exempted from this requirement.

H. Reports of Unusual or Extraordinary Discharges

If any unusual or extraordinary discharge including a bypass or upset should occur from a treatment works and the discharge enters or could be expected to enter state waters, the permittee shall promptly notify, in no case later than 24 hours, the Department by telephone after the discovery of the discharge. This notification shall provide all available details of the incident, including any adverse affects on aquatic life and the known number of fish killed. The permittee shall reduce the report to writing and shall submit it to the Department within five days of discovery of the discharge in accordance with Part II.I.2. Unusual and extraordinary discharges include but are not limited to any discharge resulting from:

1. Unusual spillage of materials resulting directly or indirectly from processing operations;
2. Breakdown of processing or accessory equipment;
3. Failure or taking out of service some or all of the treatment works; and
4. Flooding or other acts of nature.

I. Reports of Noncompliance

The permittee shall report any noncompliance which may adversely affect state waters or may endanger public health.

1. An oral report shall be provided within 24 hours from the time the permittee becomes aware of the circumstances. The following shall be included as information which shall be reported within 24 hours under this paragraph:

    a. Any unanticipated bypass; and
    b. Any upset which causes a discharge to surface waters.

2. A written report shall be submitted within 5 days and shall contain:

    a. A description of the noncompliance and its cause;

I. Reports of Noncompliance, cont.

b. The period of noncompliance, including exact dates and times, and if the noncompliance has not been corrected, the anticipated time it is expected to continue; and

c. Steps taken or planned to reduce, eliminate, and prevent recurrence of the noncompliance.

The Board may waive the written report on a case-by-case basis for reports of noncompliance under Part II.I if the oral report has been received within 24 hours and no adverse impact on state waters has been reported.

3. The permittee shall report all instances of noncompliance not reported under Parts II.I.1 or 2, in writing, at the time the next monitoring reports are submitted. The reports shall contain the information listed in Part II.I.2.

NOTE: The immediate (within 24 hours) reports required in Parts II.G, H, and I may be made to the Department's Regional Office at (804) 527-5020 (voice) or (804) 527-5106 (facsimile). For reports outside normal working hours, leave a message and this shall fulfill the immediate reporting requirement. For emergencies, the Virginia Department of Emergency Services maintains a 24 hour telephone service at 1-800-468-8892.

J. Notice of Planned Changes

1. The permittee shall give notice to the Department as soon as possible of any planned physical alterations or additions to the permitted facility. Notice is required only when:

a. The permittee plans alteration or addition to any building, structure, facility, or installation from which there is or may be a discharge of pollutants, the construction of which commenced:

(1) After promulgation of standards of performance under Section 306 of the Clean Water Act which are applicable to such source; or

(2) After proposal of standards of performance in accordance with Section 306 of the Clean Water Act which are applicable to such source, but only if the standards are promulgated in accordance with Section 306 within 120 days of their proposal;

b. The alteration or addition could significantly change the nature or increase the quantity of pollutants discharged. This notification applies to pollutants which are subject neither to effluent limitations nor to notification requirements specified elsewhere in this permit; or

c. The alteration or addition results in a significant change in the permittee's sludge use or disposal practices, and such alteration, addition, or change may justify the application of permit conditions that are different from or absent in the existing permit, including notification of additional use or disposal sites not reported during the permit application process or not reported pursuant to an approved land application plan.

2. The permittee shall give advance notice to the Department of any planned changes in the permitted facility or activity which may result in noncompliance with permit requirements.

K. Signatory Requirements

1. Applications. All permit applications shall be signed as follows:

   a. For a corporation: By a responsible corporate officer. For the purpose of this section, a responsible corporate officer means: (i) A president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy- or decision-making functions for the corporation, or (ii) the manager of one or more manufacturing, production, or operating facilities, provided the manager is authorized to make management decisions which govern the operation of the regulated facility including having the explicit or implicit duty of making major capital investment recommendations, and initiating and directing other comprehensive measures to assure long term environmental compliance with environmental laws and regulations; the manager can ensure that the necessary systems are established or actions taken to gather complete and accurate information for permit application requirements; and where authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures;

   b. For a partnership or sole proprietorship: By a general partner or the proprietor, respectively; or

   c. For a municipality, state, federal, or other public agency: By either a principal executive officer or ranking elected official. For purposes of this section, a principal executive officer of a public agency includes: (i) The chief executive officer of the agency, or (ii) a senior executive officer having responsibility for the overall operations of a principal geographic unit of the agency.

2. Reports, etc. All reports required by permits and other information requested by the Board shall be signed by a person described in Part II.K.1, or by a duly authorized representative of that person. A person is a duly authorized representative only if:

   a. The authorization is made in writing by a person described in Part II.K.1;
   b. The authorization specifies either an individual or a position having responsibility for the overall operation of the regulated facility or activity such as the position of plant manager, operator of a well or a well field, superintendent, position of equivalent responsibility, or an individual or position having overall responsibility for environmental matters for the company. (A duly authorized representative may thus be either a named individual or any individual occupying a named position.); and
   c. The written authorization is submitted to the Department.

3. Changes to authorization. If an authorization under Part II.K.2 is no longer accurate because a different individual or position has responsibility for the overall operation of the facility, a new authorization satisfying the requirements of Part II.K.2 shall be submitted to the Department prior to or together with any reports, or information to be signed by an authorized representative.

4. Certification. Any person signing a document under Parts II.K.1 or 2 shall make the following certification:

K. Signatory Requirements, cont.

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

L. Duty to Comply

The permittee shall comply with all conditions of this permit. Any permit noncompliance constitutes a violation of the State Water Control Law and the Clean Water Act, except that noncompliance with certain provisions of this permit may constitute a violation of the State Water Control Law but not the Clean Water Act. Permit noncompliance is grounds for enforcement action; for permit termination, revocation and reissuance, or modification; or denial of a permit renewal application.

The permittee shall comply with effluent standards or prohibitions established under Section 307(a) of the Clean Water Act for toxic pollutants and with standards for sewage sludge use or disposal established under Section 405(d) of the Clean Water Act within the time provided in the regulations that establish these standards or prohibitions or standards for sewage sludge use or disposal, even if this permit has not yet been modified to incorporate the requirement.

M. Duty to Reapply

If the permittee wishes to continue an activity regulated by this permit after the expiration date of this permit, the permittee shall apply for and obtain a new permit. All permittees with a currently effective permit shall submit a new application at least 180 days before the expiration date of the existing permit, unless permission for a later date has been granted by the Board. The Board shall not grant permission for applications to be submitted later than the expiration date of the existing permit.

N. Effect of a Permit

This permit does not convey any property rights in either real or personal property or any exclusive privileges, nor does it authorize any injury to private property or invasion of personal rights, or any infringement of federal, state or local law or regulations.

O. State Law

Nothing in this permit shall be construed to preclude the institution of any legal action under, or relieve the permittee from any responsibilities, liabilities, or penalties established pursuant to any other state law or regulation or under authority preserved by Section 510 of the Clean Water Act. Except as provided in permit conditions on "bypassing" (Part II.U), and "upset" (Part II.V) nothing in this permit shall be construed to relieve the permittee from civil and criminal penalties for noncompliance.

P. Oil and Hazardous Substance Liability

Nothing in this permit shall be construed to preclude the institution of any legal action or

relieve the permittee from any responsibilities, liabilities, or penalties to which the permittee is or may be subject under Sections 62.1-44.34:14 through 62.1-44.34:23 of the State Water Control Law.

Q. Proper Operation and Maintenance

The permittee shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used by the permittee to achieve compliance with the conditions of this permit. Proper operation and maintenance also includes effective plant performance, adequate funding, adequate staffing, and adequate laboratory and process controls, including appropriate quality assurance procedures. This provision requires the operation of back-up or auxiliary facilities or similar systems which are installed by the permittee only when the operation is necessary to achieve compliance with the conditions of this permit.

R. Disposal of Solids or Sludges

Solids, sludges, or other pollutants removed in the course of treatment or management of pollutants shall be disposed of in a manner so as to prevent any pollutant from such materials from entering state waters.

S. Duty to Mitigate

The permittee shall take all reasonable steps to minimize or prevent any discharge or sludge use or disposal in violation of this permit which has a reasonable likelihood of adversely affecting human health or the environment.

T. Need to Halt or Reduce Activity not a Defense

It shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit.

U. Bypass

1. "Bypass" means the intentional diversion of waste streams from any portion of a treatment facility. The permittee may allow any bypass to occur which does not cause effluent limitations to be exceeded, but only if it also is for essential maintenance to assure efficient operation. These bypasses are not subject to the provisions of Parts II.U.2 and U.3.

2. Notice

   a. Anticipated bypass. If the permittee knows in advance of the need for a bypass, prior notice shall be submitted, if possible at least ten days before the date of the bypass.
   b. Unanticipated bypass. The permittee shall submit notice of an unanticipated bypass as required in Part II.I.

U. Bypass, cont.

3. Prohibition of bypass

a. Bypass is prohibited, and the Board may take enforcement action against a permittee for bypass, unless:

(1) Bypass was unavoidable to prevent loss of life, personal injury, or severe property damage;
(2) There were no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods of equipment downtime. This condition is not satisfied if adequate back-up equipment should have been installed in the exercise of reasonable engineering judgment to prevent a bypass which occurred during normal periods of equipment downtime or preventive maintenance; and

(3) The permittee submitted notices as required under Part II.U.2.

b. The Board may approve an anticipated bypass, after considering its adverse effects, if the Board determines that it will meet the three conditions listed above in Part II.U.3.a.

V. Upset

1. An upset constitutes an affirmative defense to an action brought for noncompliance with technology based permit effluent limitations if the requirements of Part II.V.2 are met. A determination made during administrative review of claims that noncompliance was caused by upset, and before an action for noncompliance, is not a final administrative action subject to judicial review.

2. A permittee who wishes to establish the affirmative defense of upset shall demonstrate, through properly signed, contemporaneous operating logs, or other relevant evidence that:

a. An upset occurred and that the permittee can identify the cause(s) of the upset;
b. The permitted facility was at the time being properly operated;
c. The permittee submitted notice of the upset as required in Part II.I; and
d. The permittee complied with any remedial measures required under Part II.S.

3. In any enforcement proceeding the permittee seeking to establish the occurrence of an upset has the burden of proof.

W. Inspection and Entry

The permittee shall allow the Director, or an authorized representative, upon presentation of credentials and other documents as may be required by law, to:

1. Enter upon the permittee's premises where a regulated facility or activity is located or conducted, or where records must be kept under the conditions of this permit;

2. Have access to and copy, at reasonable times, any records that must be kept under the conditions of this permit;

W. Inspection and Entry, cont.

3. Inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this permit; and

4. Sample or monitor at reasonable times, for the purposes of assuring permit compliance or as otherwise authorized by the Clean Water Act and the State Water Control Law, any

substances or parameters at any location.

For purposes of this section, the time for inspection shall be deemed reasonable during regular business hours, and whenever the facility is discharging. Nothing contained herein shall make an inspection unreasonable during an emergency.

X. Permit Actions

Permits may be modified, revoked and reissued, or terminated for cause. The filing of a request by the permittee for a permit modification, revocation and reissuance, or termination, or a notification of planned changes or anticipated noncompliance does not stay any permit condition.

Y. Transfer of permits

1. Permits are not transferable to any person except after notice to the Department. Except as provided in Part II.Y.2, a permit may be transferred by the permittee to a new owner or operator only if the permit has been modified or revoked and reissued, or a minor modification made, to identify the new permittee and incorporate such other requirements as may be necessary under the State Water Control Law and the Clean Water Act.

2. As an alternative to transfers under Part II.Y.1, this permit may be automatically transferred to a new permittee if:

   a. The current permittee notifies the Department at least 30 days in advance of the proposed transfer of the title to the facility or property;
   b. The notice includes a written agreement between the existing and new permittees containing a specific date for transfer of permit responsibility, coverage, and liability between them; and
   c. The Board does not notify the existing permittee and the proposed new permittee of its intent to modify or revoke and reissue the permit. If this notice is not received, the transfer is effective on the date specified in the agreement mentioned in Part II.Y.2.b.

Z. Severability

The provisions of this permit are severable, and if any provision of this permit or the application of any provision of this permit to any circumstance, is held invalid, the application of such provision to other circumstances, and the remainder of this permit, shall not be affected thereby.